

## LEGISLATIVE COUNCIL

**Wednesday 13 March 2024**

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

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

### *Motions*

#### **WORLD BRAILLE DAY**

**Ms ABIGAIL BOYD (10:02):** I move:

- (1) That this House notes that:
  - (a) Thursday 4 January 2024 was World Braille Day, which is held each year to celebrate technological and social advancements made since the development of the braille system in 1824, and also stands as a fierce demand for genuine inclusion and equity of all people who are blind, low vision and vision impaired across all levels of society;
  - (b) according to Guide Dogs NSW/ACT, more than one million Australians are expected to live with blindness or low vision by 2030, and First Nations Australians are three times more likely to be affected;
  - (c) to this day, people who are blind, low vision and vision impaired face significant challenges and barriers to accessing and engaging with services, infrastructure and systems, including education, health, transport and communications, and routinely experience discrimination, harassment and victimisation in society;
  - (d) these barriers are perpetuated by a sustained lack of targeted investment in inclusion and accessibility by successive governments, as well as a lack of genuine representation in leadership and decision-making positions; and
  - (e) braille materials such as books are still largely inaccessible for many people who are blind, low vision or vision impaired, and Vision Australia has recently funded a new series of children's books, which will be the first children's braille books to be sold in Australian mainstream bookstores and taught in primary schools.
- (2) That this House calls on the Government to commit to breaking down barriers faced by people who are blind, low vision and vision impaired, and to increase investment in accessible braille materials, particularly for children and young people and in educational settings.

**Motion agreed to.**

#### **AUSTRALIAN NEURODIVERGENT PARENTS ASSOCIATION**

**Ms ABIGAIL BOYD (10:03):** I move:

- (1) That this House notes that:
  - (a) the Australian Neurodivergent Parents Association [ANPA] has made history as the first association run by and for neurodivergent parents and those with psychosocial disabilities;
  - (b) ANPA seeks to fill a gap in the community by representing and addressing critical needs for this parent demographic;
  - (c) according to ANPA's president Sarah Langston, support for neurodivergent parents is almost non-existent and discriminatory attitudes are systemic, with State and Federal governments continuing to fail neurodivergent parents as demonstrated in evidence given throughout the disability royal commission;
  - (d) the disability royal commission released a report in July 2023 that examined disabled parents' experiences of child protective services and made 27 recommendations for change, parents with psychosocial disabilities were identified as the key group whose children are overrepresented in the out-of-home-care system in every State, and it was highlighted that neurodivergent parents are likely included in this group, but there is insufficient data to distinguish them; and
  - (e) there are evident gaps in current decision-making and policy-making mechanisms which too often leave out or misrepresent the experiences and voices of neurodivergent parents, and ANPA seeks to fill this gap by fighting for genuine consultation and representation.
- (2) That this House commends the work and creation of ANPA as the first Australian association run entirely by and for neurodivergent parents.

**Motion agreed to.**

*Documents***TRANSPORT FOR NSW TRANSITION OFFICE AND COORDINATOR GENERAL****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 7 March 2024, together with a submission, on the disputed claim of personal information regarding the Transition Office and Coordinator General, Transport for NSW, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

**Motion agreed to.**

*Motions***TRIBUTE TO NICK HARVEY**

**The Hon. ROBERT BORSAK (10:03):** I move:

- (1) That this House notes that:
  - (a) on 21 February 2024, Mr Nick Harvey died peacefully in Bathurst Hospital at 92 years of age;
  - (b) Mr Harvey was one of the world's most prolific and knowledgeable gun and shooting writers and left a legacy built on almost seven decades of dedication to firearms and hunting;
  - (c) Mr Harvey's career lasted from the mid-1950s until his death, during which time he wrote thousands of articles, published many books, was consulted in the development of new firearms, appeared as an expert witness in the Coroner's Court, gave endless advice on all gun-related subjects and created a knowledge base that few shooters in the world could ever dream of matching;
  - (d) Mr Harvey wrote for the *Outdoors* magazine until it closed in 1976, after which he took up the invitation to become *Sporting Shooter* magazine's technical editor, a role he held for the rest of his life;
  - (e) while magazines were Mr Harvey's staple he also wrote a number of books including *Nick Harvey's Book of Shooting* (c1970s), *Nick Harvey's Book of the .22 Rimfire* (1980), *Deer Stalking in Australia* (1984) and *Deer Hunting in Australia* (2023);
  - (f) Mr Harvey's most important contributions were a series of reloading manuals beginning in 1980 and concluding with *Nick Harvey's Practical Reloading Guide 11th Edition* in 2021, which generations of hunters around Australia and New Zealand have used and consulted for their own reloading;
  - (g) Mr Harvey was still writing features until a few weeks before his death, noting his Q&A column "Ask the Gun Editor" which ran for nearly 50 years in *Sporting Shooter* magazine and was one of the most popular parts of the magazine;
  - (h) despite being Australasia's leading expert on firearms and reloading, Mr Harvey was always an affable and approachable man, ready and willing to talk to experts and beginner shooters, reloaders and hunters alike and to freely offer his sage advice;
  - (i) Mr Harvey's letterhead described him as a "professional outdoorsman, journalist, field tester" but Nick also drove the school bus to and from Hill End, New South Wales, the town he called home for most of his life, as the hours suited his hunting and testing;
  - (j) in an era very different from today, Mr Harvey would take a rifle on the bus and shoot feral animals out the window, much to the delight of the local country kids, which Ministers for transport, agriculture and education could get their heads together on as this may be a partial solution to the current feral animal control challenges we face in New South Wales; and
  - (k) Mr Harvey was awarded the Lifetime Hunting Achievement Award by the Safari Club International.
- (2) That this House acknowledges Mr Nick Harvey has made a significant contribution to New South Wales, Australia and world shooting, reloading and hunting over 70 years which will be remembered at rifle ranges and around campfires.
- (3) That this House extends its condolences for the significant loss to Mr Harvey's family, his wife Nancy and three children, Nick Jr, Alan and Janice, from his passing on 21 February 2024 and notes that the hunter is home from the hill.

**Motion agreed to.**

**ST PATRICK'S DAY**

**The Hon. CAMERON MURPHY (10:04):** I move:

- (1) That this House notes that:
  - (a) the Consulate General of Ireland hosted its annual St Patrick's Day reception on Thursday 7 March 2024 at Bangarra Dance Theatre in Dawes Point;
  - (b) the event was a success and was well attended by members and former members of this Parliament, including:

- (i) the Hon. Michael Daley, MP, Attorney General;
  - (ii) the Hon. Tara Moriarty, MLC, Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales;
  - (iii) the Hon. Sarah Mitchell, MLC;
  - (iv) the Hon. Rachel Merton, MLC;
  - (v) Ms Donna Davis, MP, member for Parramatta;
  - (vi) the Hon. Cameron Murphy, MLC; and
  - (vii) the Hon. Jonathan O'Dea, former member for Davidson and former Speaker of the Legislative Assembly.
- (2) That this House further notes the important role events such as the St Patrick's Day reception play in celebrating Irish culture and tradition, noting New South Wales' large and thriving Irish and Irish Australian community, and recognises the valuable work of Rosie Keane, Consul General of Ireland in Sydney, in this regard.

**Motion agreed to.**

**ARMIDALE INTERNATIONAL WOMEN'S DAY AWARDS**

**The Hon. AILEEN MacDONALD (10:05):** I move:

- (1) That this House notes that:
  - (a) on the eve of International Women's Day, 7 March 2024, the Tamworth Family Support Service [TFSS] held an award ceremony in Armidale to mark International Women's Day;
  - (b) the awards recognised the importance of country women in their communities and the crucial roles they play in rural and regional New South Wales;
  - (c) the local women's awards were a way of celebrating remarkable women from across the Armidale community; and
  - (d) the awards recognised exemplary volunteers, young leaders and businesswomen who make a positive contribution to their community.
- (2) That this House notes that:
  - (a) the award ceremony was attended by:
    - (i) the Hon. Barnaby Joyce, Federal member for New England;
    - (ii) Councillor Susan McMichael, councillor on Armidale Regional Council;
    - (iii) Belinda Kotris, CEO of Tamworth Family and Support Services and staff;
    - (iv) Bernie Shakeshaft, founder of BackTrack Youth Works;
    - (v) Tina Rimpici, recipient of the Award of Resilience;
    - (vi) Tanja van der Walt, winner of Outstanding Community Businesswoman;
    - (vii) Kimaree Drury, runner-up of Outstanding Community Businesswoman;
    - (viii) Brooke Turner, winner of Outstanding Young Community Woman (16-24yrs);
    - (ix) Helen Browning, winner of Outstanding Community Woman;
    - (x) Lynda Lynch and Tammy Marriott, runners-up of Outstanding Community Woman; and
  - (b) the award ceremony acknowledged TFSS staff nominations of Ces Cromie and Fiona Ramsey.
- (3) That this House notes that the theme for International Women's Day 2024 was "Count Her In: Invest in Women. Accelerate Progress" and these awards go some way to that theme.
- (4) That this House calls on the Government to continue to support and recognise International Women's Day every day and not just one day of the year.

**Motion agreed to.**

*Committees*

**PROCEDURE COMMITTEE**

**Reference**

**The Hon. JEREMY BUCKINGHAM:** I move:

- (1) That this House notes that during the Portfolio Committee No. 1 - Premier and Finance Budget Estimates 2023-2024 additional hearing for the Legislature on 4 March 2024, a member repeatedly flouted the rulings of the Chair and the procedural fairness resolution for inquiry participants.
- (2) That the Procedure Committee inquire into and report on procedures for dealing with disorder by members during committee proceedings.

**Motion agreed to.**

*Documents*

**KOSCIUSZKO NATIONAL PARK WILD HORSE HERITAGE MANAGEMENT PLAN**

**Tabling of Report of Independent Legal Arbitrator**

**The Hon. WES FANG:** I move:

- (1) That the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, KC, dated 5 March 2024, together with a submission, on the disputed claim of personal information regarding a proposed amendment to the Kosciuszko National Park Wild Horse Heritage Management Plan, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

**Motion agreed to.**

**TRANSPORT FOR NSW EMPLOYEE WORKPLACE SAFETY**

**Tabling of Report of Independent Legal Arbitrator**

**The Hon. SAM FARRAWAY:** I move:

- (1) That the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, KC, dated 5 March 2024, together with submissions, on the disputed claim of privilege regarding alleged incidents on the Coffs Harbour bypass project, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

**Motion agreed to.**

*Motions*

**BATHURST GOLF CLUB**

**The Hon. SAM FARRAWAY (10:06):** I move:

- (1) That this House notes that:
  - (a) on 8 March 2024 Bathurst Golf Club played host to day one of the Golf NSW open regional qualifying event; and
  - (b) 63 players from across Australia and internationally travelled to Bathurst Golf Club to play in the qualifying event.
- (2) That this House acknowledges:
  - (a) the amazing work the Bathurst Golf Club undertakes to put on events like the Golf NSW open regional qualifying event to promote women in sport and showcase the Bathurst region on an international stage;
  - (b) Bathurst Golf Club was established in 1894 and is the third oldest golf course in New South Wales; and
  - (c) the former New South Wales Government helped fund this event by investing more than \$15 million into bringing internationally renowned sporting events to regional New South Wales.
- (3) That this House congratulates the president of the Bathurst Golf Club, Mr Tony Price, general manager Brad Constable, greenkeepers, club staff and all volunteers for their hard work and ongoing contribution to making this event a huge success.

**Motion agreed to.**

**DAFFODIL WIG LIBRARY**

**The Hon. SAM FARRAWAY (10:06):** I move:

- (1) That this House notes that:
  - (a) the tenth anniversary of the Daffodil Wig Library was held in Bathurst on Saturday 9 March 2024; and
  - (b) the Daffodil Wig Library was launched in Bathurst back in 2014 to support women going through cancer treatment with hair loss or any other related illness.
- (2) That this House acknowledges:
  - (a) the amazing work of the Daffodil Wig Library as a volunteer-run service that relies on donations to be able to source wigs and support women from across regional New South Wales;
  - (b) the Daffodil Wig Library was founded when the cancer nursing unit manager based in the Daffodil Cottage suggested that a wig library be established with a focus on assisting women who had lost their hair due to cancer treatment; and
  - (c) the Daffodil Wig Library has supported hundreds of women in Bathurst and across the Central West over the past 10 years.

- (3) That this House congratulates Daffodil Wig Library founders Mrs Amanda Wilding and Mrs Heather Larnach on 10 years of service to Bathurst and the Central West communities in supporting so many women to regain their confidence during life-changing cancer treatment.

**Motion agreed to.**

### **EUREKA MURAL**

**The Hon. SAM FARRAWAY (10:07):** I move:

- (1) That this House notes that on 15 February 2024, the official unveiling of the Eureka Mural occurred in the Bathurst CBD.
- (2) That this House acknowledges that:
- (a) Mr Peter Rogers engaged Bathurst local artist Mr Calum Hotham for the creation of the Eureka Mural as a gift to the local community to demonstrate that local buildings and infrastructure can be utilised to showcase the very best of the city and region;
  - (b) Eureka is a composition representing the Rogers family's love for and commitment to their hometown, where they married, built their business, raised their children and where their children have returned to raise their grandchildren; and
  - (c) Mr Calum Hotham is a talented mural artist who lives in Bathurst and has completed works across New South Wales including work for NRL Indigenous Round, public school murals, bakeries, barbershops and other campaign-specific commissioned works.
- (3) That this House congratulates local Bathurstians Mr Peter Rogers and Mr Calum Hotham for successfully creating a piece of artwork that encapsulates Bathurst's proud sense of community history.

**Motion agreed to.**

### **CUMNOCK GENERAL STORE**

**The Hon. SAM FARRAWAY (10:07):** I move:

- (1) That this House notes that:
- (a) on 23 October 2023 the General Store in Cumnock was officially purchased by a group of local community members; and
  - (b) the General Store in Cumnock is over 141 years old and first started servicing the Cumnock community in 1882.
- (2) That this House acknowledges that:
- (a) the Cumnock General Store was purchased by 196 founding members who officially became the sixth owners of the store;
  - (b) the former Liberal-Nationals Government supported the Cumnock community with a \$20,000 grant to support the running of the Long White Lunch fundraiser, with proceeds going towards the renovation and fit-out of the newly owned and operated store; and
  - (c) the Cumnock General Store is a community owned and operated not-for-profit business.
- (3) That this House congratulates the Cumnock community and the 196 founding members for officially purchasing and operating the Cumnock General Store as a vital piece of local infrastructure.

**Motion agreed to.**

### **GULGONG SHOW**

**The Hon. SAM FARRAWAY (10:07):** I move:

- (1) That this House notes that the running of the 136th annual Gulgong Show took place on 17 February 2024.
- (2) That this House acknowledges:
- (a) the tireless work and contribution of the Gulgong Show Society councillors, stewards, volunteers and staff; and
  - (b) the Gulgong Show is a country show that attracts over 3,500 visitors showcasing the very best of the Gulgong region.
- (3) That this House congratulates Gulgong Show Society president Ivy-Marie Flanagan, the entire show council and the organising committee on a successful 2024 show.

**Motion agreed to.**

### **COMMONWEALTH DAY**

**The Hon. RACHEL MERTON (10:08):** I move:

- (1) That this House recognises the significance of Commonwealth Day, observed on the second Monday in March, as a pivotal occasion for member countries of the Commonwealth of Nations to celebrate our shared values and commitment to peace, democracy, and development.

- (2) That this House reaffirms its commitment to the Commonwealth's ideals, pledging continued support to its mission of promoting mutual respect, understanding, and collaboration among its diverse membership to achieve greater peace and prosperity for all.
- (3) That this House acknowledges the bipartisan support for Commonwealth Day, reflecting the universal values it represents, which transcend political divides and unite us in our common goals and aspirations for a better world.

**Motion agreed to.**

**ST PATRICK'S DAY**

**The Hon. RACHEL MERTON (10:08):** I move:

- (1) That this House notes that:
  - (a) St Patrick's Day is celebrated on 17 March annually; and
  - (b) St Patrick's Day is Ireland's national day recognising St Patrick, the patron saint of Ireland.
- (2) That this House congratulates the Consul General of Ireland, Rosie Keane, for hosting a successful St Patrick's Day event on 7 March 2024 to promote Irish Australian relations that the Hon. Rachel Merton, MLC, was honoured to attend.

**Motion agreed to.**

**SERBIAN FESTIVAL**

**The Hon. RACHEL MERTON (10:09):** I move:

- (1) That this House notes that:
  - (a) on Saturday 9 March 2024 and Sunday 10 March 2024 the annual Serbian Festival was held at Tumbalong Park, Darling Harbour, Sydney, attended by thousands to celebrate the Serbian Australian community; and
  - (b) the following people attended:
    - (i) the Hon. Chris Minns, MP, Premier;
    - (ii) the Hon. Mark Speakman, SC, MP, Leader of the Opposition;
    - (iii) the Hon. Rachel Merton, MLC;
    - (iv) Senator Dave Sharma, Senator for New South Wales;
    - (v) Rory Amon, MP, member for Pittwater; and
    - (vi) Charishma Kaliyanda, MP, member for Liverpool.
- (2) That this House extends its congratulations to the Serbian Festival of Sydney, its organising staff and volunteers for another successful event.
- (3) That this House recognises and praises the Serbian Australian community for its significant and continuing contributions to the cultural fabric of New South Wales.

**Motion agreed to.**

**LYMPHOEDEMA AWARENESS MONTH**

**The Hon. SUSAN CARTER (10:09):** I move:

- (1) That this House notes that:
  - (a) March is Lymphoedema Awareness Month;
  - (b) lymphoedema affects people of all ages; and
  - (c) lymphoedema impacts adversely on the physical, emotional, social and financial wellbeing of people living with the condition.
- (2) That this House recognises the work of Lymphoedema Association Australia in raising awareness of this issue.
- (3) That this House commends the work of Lymphoedema Association Australia in their "Shine a Light on Lymphoedema" campaign in which landmarks are being lit up blue to raise awareness of this important issue.

**Motion agreed to.**

**CHINESE WOMEN'S ASSOCIATION OF AUSTRALIA INTERNATIONAL WOMEN'S DAY  
CELEBRATION**

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

- (1) That this House notes that the Chinese Women's Association of Australia together with the Sichuan-Chongqing Society of Australia celebrated International Women's Day on Sunday 10 March 2024 with a high tea and an appreciation of traditional Chinese clothing.

- (2) That this House congratulates Helen Zhang, President of the Chinese Women's Association of Australia, and Vivian Gan, President of the Sichuan-Chongqing Society of Australia, as well as the other organisers and sponsors, including Sendy Zhang of Infinity Capital Financial Group, for a very successful event.
- (3) That this House further notes that:
- (a) this was both a great celebration of the contribution of women and promoted cultural exchange and recognition of diversity; and
- (b) attendees included the Hon. Helen Sham-Ho, OAM, a former member of this House, and the Hon. Susan Carter, MLC.

**Motion agreed to.**

*Visitors*

**VISITORS**

**The PRESIDENT:** I welcome and acknowledge a guest of the Hon. Susan Carter in the gallery. Siena McMillan is currently a student at the University of Sydney, studying psychology and politics. She is undertaking an internship in the office of the Hon. Susan Carter. She is very welcome.

*Bills*

**AGEING AND DISABILITY COMMISSIONER 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. John Graham, on behalf of the Hon. Penny Sharpe.**

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

**Statement of public interest tabled.**

**The Hon. JOHN GRAHAM:** I move:

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

**Motion agreed to.**

**The Hon. JOHN GRAHAM:** I move:

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

**Motion agreed to.**

*Documents*

**UNPROCLAIMED LEGISLATION**

**The Hon. JOHN GRAHAM:** According to standing order, I table a list detailing all legislation unproclaimed 90 days after assent as at 12 March 2024.

**TRANSPORT FOR NSW EMPLOYEE WORKPLACE SAFETY**

**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 5 March 2024, on the disputed claim of privilege on documents relating to alleged incidents on the Coffs Harbour bypass project.

**KOSCIUSZKO NATIONAL PARK WILD HORSE HERITAGE MANAGEMENT PLAN**

**Report of Independent Legal Arbiter**

**The CLERK:** According to resolution of the House this day, I table the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 5 March 2024, on the disputed claim of personal information on documents relating to a proposed amendment to the Kosciuszko National Park Wild Horse Heritage Management Plan.

## TRANSPORT FOR NSW TRANSITION OFFICE AND COORDINATOR GENERAL

### Report of Independent Legal Arbitrator

**The CLERK:** According to resolution of the House this day, I table the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, KC, dated 7 March 2024, on the disputed claim of personal information on documents relating to the Transition Office and Coordinator General, Transport for NSW.

### *Petitions*

### RESPONSES TO PETITIONS

**The CLERK:** According to standing order, I announce receipt of the following responses to petitions signed by 500 or more persons:

- (1) Government response from the Hon. Paul Scully, MP, Minister for Planning and Public Spaces, to a petition presented by Ms Sue Higginson on 6 February 2024 concerning a development application at Miles Street, Yamba, received out of session and published on 4 March 2024.
- (2) Government response from the Hon. Paul Scully, MP, Minister for Planning and Public Spaces, to a petition presented by Ms Sue Higginson on 6 February 2024 concerning a development application at Carrs Street, Yamba, received out of session and published on 8 March 2024.

### *Motions*

### FIREFIGHTERS INDUSTRIAL AWARD

**The Hon. DAMIEN TUDEHOPE (10:23):** I move:

- (1) That this House notes that:
  - (a) the Crown Employees (Fire and Rescue NSW Permanent Firefighting Staff) Award 2023 and the Crown Employees (Fire and Rescue NSW Retained Firefighting Staff) Award 2023 expired on 25 February 2024;
  - (b) under section 4.3.3 of the NSW Government Fair Pay and Bargaining Policy 2023, "It is recommended that bargaining proposals be approved no later than six months prior to the expiry of the current industrial instrument, to enable sufficient time for bargaining";
  - (c) neither the Minister for Emergency Services nor the Minister for Industrial Relations has commenced work on agreed bargaining proposals for the firefighting staff awards; and
  - (d) the view of the Fire Brigade Employees' Union is that the Minns Labor Government's failure to be ready with bargaining proposals shows disrespect to professional firefighters.
- (2) That this House calls on the Government to finalise its bargaining proposals for the two firefighting staff awards so that negotiations for a new award can finally commence.

Leighton Drury, who is the secretary of the Fire Brigade Employees' Union [FBEU], has described me as a "strange bedfellow". However, we are on a unity ticket on one very simple proposition. In the real world, award negotiations require both parties to come to the bargaining table with a firm set of bargaining proposals. In fact, I interpose that that is the Government's own policy in its mandated document *M2023-04-NSW Government Fair Pay and Bargaining Policy 2023*. This mandatory policy applies across government. The Government's own fair pay and bargaining policy, formally adopted in November 2023, states:

... bargaining proposals be approved no later than six months prior to the expiry of the current industrial instrument, to enable sufficient time for bargaining.

When FBEU secretary Leighton Drury wrote to the Premier on 16 February 2024 to seek his "urgent intervention to ensure Fire and Rescue NSW are provided with clear bargaining parameters" so negotiations can "commence without delay", the Premier left it to the Minister for Industrial Relations to reply. The Minister admitted that "ideally bargaining would have commenced at this point". However, in her budget estimates hearing the Minister could not point to any action she had undertaken to advance progress on settling bargaining proposals.

The policy assigns roles to the portfolio Minister—in this case, the Minister for Emergency Services; the Minister for Industrial Relations; and the Expenditure Review Committee, which includes the Treasurer and the Minister for Finance. Those four Ministers—and the Premier—have collectively failed to demonstrate the basic competence to attend to their task in a timely manner and, in doing so, have failed to show our State's firefighters the basic courtesy and respect that they are entitled to. In her letter, the Minister for Industrial Relations thanked the FBEU for attending one of the training sessions in mutual gains bargaining. The firefighters union, though, is clearly more interested in getting on with the hard work of actual award negotiations rather than holding hands and singing endless verses of *Kumbaya*.

**The Hon. Greg Donnelly:** Solidarity forever, I think, Damien.

**The Hon. DAMIEN TUDEHOPE:** Is that the *Kumbaya* verse that you know, Greg?



**The Hon. Anthony D'Adam:** You'll have to explain "solidarity" to Damien; he doesn't actually understand the concept.

**The Hon. DAMIEN TUDEHOPE:** I'm glad you know how to sing it well. In fact, if the Government needs reminding, its policy says this:

The NSW Government's Fair Pay and Bargaining Policy 2023 implements the Government's decision of 5 June 2023 to provide for increases to remuneration of up to 4.5 per cent (inclusive of superannuation) for one year for instruments which expired on or after 1 July 2023.

It sounds vaguely like a wages cap to me. The policy goes on to state:

An additional increase may be available in FY2023-24, where a substantial employee contribution has been made to productivity enhancing reforms.

That sounds very similar to the policy of the previous Government. It goes on:

In addition, the policy provides a cooperative industrial relations framework, including a mutual gains bargaining approach to bargaining, across the NSW Government sector. This cooperative mutual gains bargaining approach will drive productivity and efficiency in public sector ...

This is the important point:

Before bargaining commences and arrangements are confirmed, agencies must follow the two-stage approval process required ...

It requires the relevant agency Minister to prepare and consult with the Senior Officials Wages Advisory Committee and the like. Without placing too much emphasis, this is a policy that is described as mandatory. Any claims by the Government that "bargaining" has begun are misleading. In the absence of approved bargaining proposals from the Government, there are some "without prejudice" discussions underway on the aspects of the union's log of claims. Actual bargaining remains delayed while we wait for the Treasurer, the Minister for Finance, the Minister for Industrial Relations and the Minister for Emergency Services to do their job.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (10:28):** On behalf of the Government, I welcome the sudden interest of the Leader of the Opposition in the rights and conditions of unionised workers. There he is, down on the picket line with the Fire Brigade Employees Union [FBEU], with a packed lunch and well-thumbed copy of *Quadrant*.

**The Hon. Damien Tudehope:** I have a T-shirt, mate.

**The Hon. JOHN GRAHAM:** Exactly! He was waving a T-shirt around in the Chamber. I was not surprised to see him with an FBEU T-shirt. I was surprised to see him threatening to wear a T-shirt. I have never seen him in a T-shirt before. That is a welcome development.

**The Hon. Bob Nanva:** Comrade Tudehope!

**The Hon. JOHN GRAHAM:** We can start calling him Comrade Tudehope, if that would make him feel more comfortable.

**The Hon. Anthony D'Adam:** He is no comrade of mine.

**The Hon. JOHN GRAHAM:** I will welcome the Parliamentary Secretary to the dispatch box shortly. But it is the reversal of the previous position that is really striking here. The Hon. Damien Tudehope belonged to a government that capped wages—on occasion at zero. He belonged to a government that failed to recruit new firefighters to keep pace with population growth and that cut funding for existing positions. That is the record—and now he is interested in this matter. In fact, the awards expired in February 2023. Let us cast our minds back to who the industrial relations Minister was at that time. The Hon. Damien Tudehope has demonstrated considerable expertise in the matters at question here because he was the Minister at the time.

**The Hon. Damien Tudehope:** No, I was not.

**The Hon. JOHN GRAHAM:** Who was the Minister?

**The Hon. Damien Tudehope:** I was not.

**The Hon. JOHN GRAHAM:** The honourable member should let us know. He should feel free to respond in his reply speech. The Government already reached agreement with Fire and Rescue and the FBEU in October last year. That delivered a 4.5 per cent increase for firefighters, their highest pay rise in over a decade. I am advised that both the permanent and retained awards now contain consultation provisions, which are formalised through joint consultation committees. Those committees cover key aspects of the employment relationship. The permanent award covers firefighters performing duties at stations and other locations at which they perform

training and specialist functions such as fire investigation. Those non-station-based firefighters now attract an allowance.

I am advised that the motion contains a number of factual inaccuracies. I am advised that bargaining has commenced between the agency and the union. It has been ongoing for three weeks. I am advised that another meeting is scheduled for Thursday. We want those discussions to continue. The Minister for Emergency Services and the Minister for Industrial Relations are continuing to work to provide further bargaining parameters for negotiations between the agency and the union. I advise that my Government colleague will amend the motion to deal with some of those inaccuracies.

**The Hon. MARK BUTTIGIEG (10:31):** It is gratifying to see this Bowie-like metamorphosis of probably one of the most anti-union government members I have seen in my time in this place, the Hon. Damien Tudehope, who spent the last term demonising unions and criticising them up hill and down dale. Members will remember the rail dispute. The honourable member played a key role in shutting down the rail network and stalling negotiations with the Rail, Tram, and Bus Union. We all remember the track record. Now, overnight, he is joining picket lines and is the friend of the union movement. It is good to see. I know the secretary of the Fire Brigade Employees' Union, Leighton Drury, well. He is an excellent secretary. He will deliver an outcome for his union in negotiation with the Government. I do not blame him for co-opting whoever he thinks will lend a hand to the cause.

It is good that the Hon. Damien Tudehope is on board because, when we resolve the negotiations—in fairly short time, I would venture to guess—the member will be party to helping the Labor Party and the union movement get a good outcome for fire brigade workers, which is exactly what we want. Those opposite capped public sector wages to 2 per cent for years. In the short time that we have been in government, we have already delivered a 4.5 per cent wage rise to public sector workers. We have solved the teachers' dispute, with almost 20,000 teachers and ancillary teachers taken on full time and off temporary contracts.

**The PRESIDENT:** Order! There is too much audible conversation in the Chamber.

**The Hon. MARK BUTTIGIEG:** Nurses have received wage rises. The dispute with the members of the Health Services Union—paramedics and hospital workers—was resolved as well. All members have to do is look at the track record of those opposite—12 years of unmitigated wage suppression and union bashing—compared with our record of 12 months in government, where we have lifted the wage cap, granted a 4.5 per cent pay rise, resolved several disputes with several unions and negotiated. That is exactly what will happen in this matter. Those opposite can feign support for unions and working people. Again, I welcome their co-opting of the cause. It is a very gratifying development. But let us hope it stays that way. For the next 12 years when we are in government, we hope the Hon. Damien Tudehope stays in the cause and helps us further on picket lines and negotiations.

**The Hon. WES FANG (10:34):** I support the motion moved by the Leader of the Opposition. We have heard a number of contributions to the debate already. We heard from the Minister and from the infamous mouthpiece of the unions, the Hon. Mark Buttigieg, the Parliamentary Secretary, who should be a Minister soon, no doubt. But there is one contribution that we have not heard, and that is the contribution of the Parliamentary Secretary for Emergency Services. I would have thought that he would be the next person to jump up—

**The Hon. Anthony D'Adam:** Point of order: We are four speakers in. There is still substantial time for debate. I intend to speak in debate. To make reflections on whether I am participating or not in this debate is unparliamentary and the member should be called to order.

**The PRESIDENT:** Order! I do not uphold the point of order. I do not think an inappropriate reflection was made. The Hon. Wes Fang will not stray too far and will return to the substance of the motion.

**The Hon. WES FANG:** It is interesting to see how quickly the Hon. Anthony D'Adam jumps to his feet to defend himself. He will not do that for the workers that he is the Parliamentary Secretary for. That is the real point. The Hon. Damien Tudehope has said that the Labor Government has not done what it said it would do. It should have specified the negotiation parameters before the expiry of the agreement. The Hon. Damien Tudehope is fighting for workers in the Chamber while the Parliamentary Secretary is distracted by other issues and while the Minister is too busy trying to find money to pay for the paramedics because the Government could not negotiate properly. Now it will have to wear the 27.5 per cent across all the other industries. It knows it will have to find the money.

We know what is going to happen. The Hon. Damien Tudehope is the one standing up for firefighters. Where is the Parliamentary Secretary on this matter? Nowhere. We heard yesterday that the Parliamentary Secretary was not aware of the issue. I hope that, in the 24 hours since yesterday's question time, the Parliamentary Secretary has done his job and found out a little information and will tell us at the dispatch box how he is fighting

for workers. He should not be leaving the Hon. Damien Tudehope to do it; he should be doing it himself. It is a credit to the Hon. Damien Tudehope that he is the one fighting for workers. Those opposite might call the Hon. Damien Tudehope "comrade"; we call him Damien the Great. He is fighting for workers on behalf of the Opposition. He is showing those opposite how it is done. In three years when he is back on the other side of the House— [*Time expired.*]

**Dr AMANDA COHN (10:37):** The Greens intend to support the motion as will be amended. For a brief moment I thought that maybe the Hon. Damien Tudehope had finally decided, after many years of bashing unions as Minister for Employee Relations and Minister for Finance for the previous Government, that if he could not beat them, he would join them. But it is clear that this motion is just an opportunistic dig at the Government. It does not even raise the key issues that caused firefighters to protest outside Parliament last week. As recently as December, in relation to the Industrial Relations Amendment Bill that passed and was supported by the Fire Brigade Employees' Union, the Hon. Damien Tudehope said:

This is a regressive change that winds back the clock on reform by decades, at the behest of their union masters ... This is the cost of doing business with the unions – and Labor will gladly pay with taxpayers' money.

This January in response to the Electrical Trades Union industrial action, he said:

After raiding the public coffers for unfunded public sector wage rises ... the unions are going after private businesses, and they risk holding the people of NSW hostage in the process ...

Given that we now have the opportunity to discuss the award for firefighters today, rather than just a having an opportunistic dig at the Government, let us discuss what firefighters need and deserve. That is a meaningful pay rise after 12 years of public sector wage caps from the Liberal-Nationals Government, with the Hon. Damien Tudehope as Minister for Employee Relations and Minister for Finance. We know that the cost-of-living crisis is getting worse. We know that the housing crisis is getting worse, and firefighters, like other key workers, need to be able to live where they work and in the communities they serve. I move:

That the question be amended by inserting after paragraph (2):

- (3) The House supports the FBEU claim of 8 per cent, 6 per cent and 6 per cent over a three-year agreement, given the real wage reduction experienced by New South Wales public sector workers over the past 10 years, and the skills and value of permanent and retained firefighters to communities across New South Wales.

If we are going to debate awards for firefighters, let us take a position on what workers are asking for. I acknowledge that in the first year of this Labor Government we have finally seen a meaningful pay rise for teachers and then for paramedics, and that is only thanks to the staunch advocacy of union members. Nurses, midwives and firefighters are continuing that fight and The Greens stand with them today and every day.

**The PRESIDENT:** It is helpful if members provide copies of their amendments to the Clerks before moving them.

**The Hon. ANTHONY D'ADAM (10:40):** I move:

That the question be amended as follows:

- (1) In paragraph (1), omit subparagraphs (a) to (d) and insert instead:
  - (a) bargaining has commenced on replacement awards for the Crown Employees (Fire and Rescue) Firefighting Staff Award 2023 and the Crown Employees (Fire and Rescue Retained) Award 2023, which expired on 25 February 2024; and
  - (b) the Minister for Emergency Services and the Minister for Industrial Relations are continuing work on further bargaining proposals for the firefighting staff awards.
- (2) In paragraph (2), omit all words after "calls on the Government to" and insert instead "continue to work with the firefighters union on reforms to the award that are modern, fair and sustainable."

I worked in the Public Service Association for many years. When I was a young pup there, I worked under a legendary secretary, Maurie O'Sullivan. Some members will know Maurie, who was an Irishman. I remember talking to him at the time when Labor was in Government. The Opposition were doing what they are doing these days. I said to Maurie, "You know, we should probably brief the Opposition in terms of our industrial agenda." He said to me in his Irish lilt, "Anthony, we never sup with the devil because the Liberal Party never serves workers' interests." I have taken that to heart. It is interesting that the Hon. Damien Tudehope has admitted that he is a member of the Fire Brigade Employees' Union [FBEU]. It was surprising to hear him admit that yesterday.

**The Hon. Greg Donnelly:** Honorary. Number one ticketholder.

**The Hon. ANTHONY D'ADAM:** I hope he has amended his pecuniary interest and non-pecuniary interest declaration to reflect that as he comes into this place to do the bidding of the FBEU. I hope he has taken that step. I question how he could even be eligible to be a member of the FBEU. He is not qualified for

membership. He is engaged in a practice that I suggest is contrary to the rules and is unlawful, but I digress. The fact is that Opposition members do not understand cooperative industrial relations. They do not understand it; they never have. They do not believe in unions. They do not support unions. They do not support workers. The fact of the matter is that only Labor members come to this place with a willingness to genuinely sit down and negotiate and talk through the issues. That is a process that is not fixed to some bargaining period, but it is an ongoing dialogue. We will continue to do that. We will deliver a just and fair outcome for firefighters. I am confident that the Government is well on the way to doing that.

**The Hon. GREG DONNELLY (10:43):** I make a contribution to debate on this matter. I agree with everything that honourable members on this side of the House have said, although I have one rhetorical question for the Hon. Mark Buttigieg about the worst industrial relations Minister he has seen. Some of us have been around for a while and remember the Hon. Greg Pearce. Probably now is not the time to do a comparative analysis, but I am going right out on a limb when I say that no matter what members think of the Hon. Damien Tudehope, he is not as bad as Greg Pearce. If my Labor colleagues had been in Parliament at the time, they would have seen what Greg Pearce did with respect to establishing a cap in the first place. He made ruinous changes to the workers compensation system. I could go on, but I wished to make that small contribution.

Although, having said that, it needs to be understood that there is the challenge that after so many years of a Coalition Government that a rational, sensible, workable industrial relations framework could operate in this State under proper statute to enable engagement between employers and employees, most particularly with regard to State employees who, as we know, are covered in large measure by State legislation—State Acts and State regulations—and not by Fair Work legislation in the main. There has to be capacity to do that properly, but of course that was never the case for 12 years when, effectively, it was a combative arrangement that enabled unions to do nothing other than try to defend the cap of a wage increase. That was all they could do. That is what was going on during that period as well as other changes such as stripping workers compensation rights and a range of other things.

Credit has been given to the Hon. Sophie Cotsis for her indefatigable work to create a framework and pass it through legislation that now creates an ability to work through very difficult issues that involve negotiating with unions, particularly State sector employees, who have huge responsibility, huge membership and a number of matters they wish to prosecute. The fact is that that has been done through a process of systematically working through various State sector unions and the very important occupations they cover, particularly with respect to emergency services. Firefighters run in, not the other way. This is what the Labor Government is doing systematically. It is being fair and reasonable. Everyone should know that. I think everyone outside the Coalition knows that. The people of New South Wales know that and appreciate and support it. That is why motions such as this— [*Time expired.*]

**The Hon. DAMIEN TUDEHOPE (10:46):** In reply: I thank all members who contributed to the debate. This motion is asking the Government to comply with its own mandatory guidelines in relation to bargaining with unions. It is a simple process. It was admitted by the Minister for Industrial Relations in budget estimates that no bargaining parameters had been set. This is not a motion about unions and union bashing. It is just saying to the Government that if it is going to put in place a set of guidelines that can be relied upon by the unions in terms of reaching agreements, then it should its job. I point out to the Minister that the Government makes great fanfare of the wages cap. In every single year of the previous Government's term of office, bar one, the previous Government's wages policy delivered real wage increases for workers and did not decrease real wages. In every one of those years the wage cap was above the consumer price index in those years. The delivery of wages according to the Government's current proposals is that it is not delivering real wage outcomes to the extent that the previous Government did.

The great furphy articulated by members opposite is that under the previous Government there was a suppression of workers and suppression of wages. It is just a lie. In those circumstances what we delivered for the workers of this State for 11 out of the 12 years of government were real wage increases, not the cap that is being adopted by the current Government. Yet Labor members continue to come into this House and say that they have smashed the wages cap. Their own bargaining policy articulates a wages cap of 4 per cent plus a 0.5 per cent superannuation increase. It is the cap that those opposite set themselves.

I also reject the suggestion that those opposite have engaged in bargaining parameters—not in accordance with their own rules, they haven't. Engaging in bargaining in circumstances where one has not put on the table what one is prepared to offer is in fact not bargaining but singing *Kumbaya*, as I suggested. In respect of the amendments, we are not here to tell the Government what it should agree to regarding wages outcomes. That is for it to negotiate. We will not be supporting the Government amendment. It is predicated on a mistruth.

**The PRESIDENT:** The Hon. Damien Tudehope has moved a motion, to which the Hon. Anthony D'Adam and Dr Amanda Cohn have moved amendments. The question is that the amendment of the Hon. Anthony D'Adam be agreed to.

**The House divided.**

Ayes .....21  
 Noes .....14  
 Majority.....7

**AYES**

Banasiak  
 Borsak  
 Boyd  
 Buckingham  
 Buttigieg  
 Cohn  
 D'Adam

Donnelly  
 Faehrmann  
 Graham  
 Higginson  
 Houssos  
 Hurst  
 Jackson

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

**NOES**

Carter  
 Fang (teller)  
 Farraway  
 Latham  
 MacDonald

Maclaren-Jones  
 Martin  
 Merton  
 Mitchell  
 Munro

Rath (teller)  
 Roberts  
 Taylor  
 Tudehope

**PAIRS**

Lawrence  
 Suvaal

Farlow  
 Ward

**Amendment of the Hon. Anthony D'Adam agreed to.**

**The PRESIDENT:** The question now is that the amendment of Dr Amanda Cohn be agreed to.

**Amendment of Dr Amanda Cohn negatived.**

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

**Motion as amended agreed to.**

**KIWARRAK STATE FOREST**

**Ms SUE HIGGINSON (10:58):** I move:

(1) That this House notes that:

- (a) Kiwarra State Forest contains one of New South Wales' longest standing intergenerational koala populations, and:
  - (i) is a critical component of the Comboyne Area of Regional Koala Significance;
  - (ii) contains 70 kilometres of bike tracks that bring economic and health benefits to locals and visitors alike;
  - (iii) is home to other threatened and hollow-dependent species such as owls, gliders and glossy black cockatoos; and
  - (iv) contains the critically endangered orchid, the pale yellow doubletail, that remains in just a handful of locations;
- (b) since the 2019-20 bushfires, koala population density has halved from approximately one koala per 10 hectares to one koala in 20 hectares;
- (c) the Government is spending millions of dollars to deliver the Koala Strategy aimed at preventing the extinction of koalas in the wild in New South Wales while simultaneously logging known koala habitat;
- (d) logging is fundamentally inconsistent with preventing the extinction of tree dependent species, including koalas;
- (e) independent research shows that logging results in increased fire risk in native forests that puts the environment and communities at risk of catastrophic fire events;
- (f) a recent community meeting in Tinonee brought together over 40 local residents who jointly wrote to their local member, the member for Myall Lakes, with their concerns; and

- (g) logging is due to commence in Kiwarra State Forest on 25 March 2024.
- (2) That this House calls on the Government to immediately move to prevent logging in Kiwarra State Forest to:
  - (a) prevent local extinction of koalas and other tree and hollow dependent species;
  - (b) preserve the natural values, and benefits to community health and amenity; and
  - (c) reassure local communities that reducing catastrophic bushfire risk is an overriding priority to the Government.

Kiwarra State Forest, like all native forests, is a unique and precious place that is critical for wildlife, carbon capture and storage, and makes a significant and positive contribution to human health and recreation. The local community knows that what they have on their doorstep is a balance between nature and human activity. But the logging that has just been approved for this area threatens to destroy that existing balance. It will set the local environment back another 200 years, as the recovery is interrupted for profitless and destructive logging once again.

Kiwarra is home to one of New South Wales' longest standing intergenerational koala populations. It is a vital component of the Comboyne area of regional koala significance. The preservation of this population is absolutely crucial for the overall health of the local and regional ecosystems. This critical koala habitat saw a halving, from approximately one koala per 10 hectares to one koala in 20 hectares, after the 2019-20 bushfires. That alarming decline emphasises the urgent need for intervention to protect koalas from local extinction. At the time, this crisis was the subject of enormous investment and work to recover koalas and the forest. As the Government continues with its \$107.5 million Koala Strategy, Kiwarra is now set to be logged, undoing all of the incredible rescue and recovery work for the koalas, and the resources that have been poured into this environment. We cannot ignore the fundamental inconsistency between this strategy, public opinion and hope, and the ongoing threat to koalas in our public forests.

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

*Questions Without Notice*

**M5 SOUTH-WEST CASHBACK SCHEME**

**The Hon. DAMIEN TUDEHOPE (11:00):** My question is directed to the Minister for Roads.

**The Hon. Penny Sharpe:** The Treasurer is here. You wanted him yesterday.

**The Hon. DAMIEN TUDEHOPE:** He's a \$1.65 billion loser. I'm not going to ask him a question. Will the Minister for Roads rule out cancelling or reducing the M5 South-West Cashback scheme?

**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 member for his question. I am very pleased to talk about tolls and about the toll review, and I am glad the Leader of the Opposition has turned to this question after neglecting it yesterday. While the Government will not set out its response to the interim report of the Fels-Cousins toll review—that 230-page report that has been so detailed—the Premier has been very clear that we will not be scrapping the M5 cashback scheme. The reason for that is very much what we learned during COVID about this area of Sydney. South-west Sydney is home to many of the low-paid workers in the city. The former Government piled on the M5 East toll, that free road for many years that was then all of a sudden tolled and then privatised. The idea that this Government would scrap the M5 cashback scheme is not one it is contemplating. The Premier has been up-front about that.

We will take our time to deal with these issues, but I want to be clear: We are committed to reform because it gives us a chance to reshape the city into a city of the future, with less congestion. Freight and packages delivered to every person, whether one drives on toll roads or not, will be more expensive if we do not reform this system, which is frankly getting people around the city slower than it should because of the patchwork of tolls. That will be difficult—it will not be easy—because the privatisation deals done by the former Government are so bad. They are a disaster for drivers. In particular the WestConnex deal was so bad and is going to be very hard to unpick. Even after the billions that drivers have paid, we still owe \$195 billion.

I was hoping for help from the Opposition when it came to this. I was hoping that they might reach across the aisle and help us unscramble the egg. Having looked at this report and having read the details of this dud deal for drivers, I would have hoped they would be offering help. That has not come yet, but I am still hopeful. The other thing I had hoped for was perhaps an apology after reading the 230-page report. I expected the Leader of the Opposition to apologise for what has happened after reading those details. I did not expect an apology in person. That was perhaps too much. I was there at the office. I was expecting a tear-stained copy of the report to be slipped under the office door with a handwritten note from the Leader of the Opposition saying simply, "I'm sorry."

**STATE BUDGET AND GOODS AND SERVICES TAX**

**The Hon. Dr SARAH Kaine (11:04):** My question without notice is addressed to the Treasurer. Will the Treasurer remind the House about the hard journey to budget repair? What factors could impede the State's return to surplus?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:04):** I thank the member for her inspired question, because it provides me the opportunity to update the House on some serious developments that have taken place in recent days in respect of the New South Wales budget. I have to say, yesterday the Commonwealth Grants Commission robbed New South Wales.

**The Hon. Damien Tudehope:** Point of order: Loath as I am to suggest that the Treasurer should not give an explanation as to his failures, this matter is going to be canvassed in debate later on today as part of Government business item No. 843. The Treasurer and the Government will have an opportunity to provide an explanation in relation to that during the course of that debate.

**The Hon. Courtney Houssos:** To the point of order: The question that was asked was in relation to the road back to budget repair. The Treasurer is completely within his rights to refer to events that may be debated later in the day, but the question itself did not explicitly refer to the motion that will be debated later in the day. The shadow Treasurer might not have asked the Treasurer a question and might not like the answer, but it does not mean it is out of order.

**The Hon. Damien Tudehope:** Further to the point of order: The question does not have to be framed specifically to include the motion that is going to be canvassed later today. I specifically waited for the Treasurer to commence his answer before taking the point of order because he embarked upon exactly the issue which is the subject of debate later today. To the extent that the Treasurer might want to use questions from his own side to try to explain himself, I suggest that the appropriate time to do that is in the course of the debate this afternoon.

**The Hon. Mark Latham:** To the point of order: Standing Order 65 (4) (c) is crystal clear. The question can be ruled out of order if it is seeking to anticipate, but the answer cannot be ruled out of order because there is no such anticipation rule for answers.

**The Hon. Wes Fang:** To the point of order: Mr President, in her contribution to the point of order Minister Houssos raised debating points, which you have ruled out of order previously. I ask you to call her to order.

**The PRESIDENT:** If there are no more contributions to the point of order, I will confer with the Clerk. I thank members for that excellent discussion. The fundamental point is that the Hon. Mark Latham is right: Standing Order 65 (4) (c) specifically refers to questions and not answers. The Treasurer has the call.

**The Hon. DANIEL MOOKHEY:** It is astonishing that yesterday Opposition members were complaining about me not being here to answer questions, but today when I try they try to stop me. It took 17 seconds for them to take the view that I should not be updating the House on such a development. As I was saying before I was rudely interrupted, the Commonwealth Grants Commission yesterday robbed New South Wales of about \$1.65 billion through a decision that is laced with absurdity. To give the House some aspect of the proportion of the cut, it is the equivalent of more than 3,000 healthcare workers; it is close to the annual operating budget of TAFE NSW. The Government has put in so much effort to stabilise the State's finances, prepare for economic shock and support and protect jobs come what may, and yet the Commonwealth Grants Commission decision takes from New South Wales to bail out other States. It is an absurd system, and absurd systems cannot last.

I have to be up-front with the people of New South Wales and this House, and rightly subject myself to the House's scrutiny on these points, which I look forward to through the course of question time. It will make the return to surplus close to impossible. You just need to do the arithmetic. We released the half-year review in December, and made \$13 billion worth of improvements—cutting down on the \$27 billion of wasteful spending we inherited; dealing with the \$9 billion budget black hole we were left; saving the jobs of 1,200 nurses who otherwise would be fired in about six weeks' time. Despite that, the Commonwealth Grants Commission's decision will pile pressure on that return to surplus. Equally, I will be up-front in saying that an endangered triple-A credit rating when we got here is in danger again as a result of the Commonwealth Grants Commission. I pointed out that the position we inherited from former Treasurer Kean and former finance Minister Tudehope saw New South Wales already transgress many of the metrics that are used to assess triple-A status.

The Commonwealth Grants Commission's decision yesterday will compound those pressures, despite the efforts that we undertook last year. I assure the House that we will not have any knee-jerk reaction to this issue. I will not ask a police officer to sacrifice their pay, I will not introduce a wage cap and I will not resort to privatisation to fix this problem. We will calmly and methodically work through what this means for the people of New South Wales.

**The Hon. Wes Fang:** Point of order: Mr President, you will recall that I took a point of order earlier in this answer. My point of order was that the Hon. Courtney Houssos sought to make a debating point while speaking to the point of order taken by the Hon. Damien Tudehope. You have ruled on numerous occasions that doing so is out of order. I ask you to call the Hon. Courtney Houssos to order.

**The Hon. Penny Sharpe:** To the point of order: It is always enjoyable to hear the Hon. Wes Fang's points of order, but if he wants to get into this, I note that he did not take a point of order when the Leader of the Opposition made an extensive debating point in one of his previous points of order.

**The PRESIDENT:** Debating points in points of order are never helpful and are, in fact, out of order. I ask members to not go down that path.

### REGIONAL CRIME

**The Hon. SARAH MITCHELL (11:12):** My question is directed to the Minister for Regional New South Wales. Given the Minister told the House yesterday that "people are entitled to be safe in their communities", when can residents of towns like Dubbo, Casino and Gunnedah expect to see specific funding packages to tackle regional crime in their communities?

**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 honourable member for the question. Yesterday I outlined to this House a significant package of support that the Premier announced for the community of Moree, which will essentially be a pilot program for a new way of dealing with regional crime. I did say people are entitled to be safe in their communities because, of course, they are. The Government has absolute conviction about ensuring that. We are undertaking a particular program in Moree, which, if successful, can potentially be rolled out in other communities. Other communities around New South Wales, of course, have access to services where they are needed. I note that the member who asked the question was doing media this morning about a website that the National Party has decided to launch for people to send in stories about crime that may have occurred in their communities.

People should contact the police if they are victims of crime. The police have a very important role. They deal with crime incredibly successfully and well across our regional communities. I would not be playing politics with this issue if I were a National Party member. People are entitled to be safe. They should contact the police, who will investigate any allegations of crime and deal with these matters in the appropriate way. Any operation that the National Party members want to run outside of the judicial system on these issues is bizarre, at best. National Party members should be telling people to contact the police about any crime. That is the appropriate mechanism.

I support the incredible work that our police are doing across our regional communities. They should not be second-guessed and people should not try to play politics with a significant issue such as this. Our Government is getting on with the job of listening to community concerns and dealing with these issues, which is why we announced a significant package yesterday. We worked closely with the leaders and the broader community of that area. We know that things that have been in place for a long time, including under the previous Government's watch, have not necessarily been working. We want to see how the package that we rolled out yesterday will work. If it is successful, we will look to expand it. It is not the job of National Party members to second-guess the police. [*Time expired.*]

**The Hon. SARAH MITCHELL (11:16):** I ask a supplementary question. In the Minister's answer she referred to the pilot taking place in Moree. Will she elucidate when that pilot in Moree will finish, how it will be evaluated and when other communities will expect to see similar programs for them?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:16):** I thank the member for the supplementary question. Yesterday we outlined a range of details across a range of portfolios. This is a whole-of-government response to a serious issue. Again, I would urge members in this Chamber and parties who purport to represent regional communities to not play politics with an issue as serious as this. There are concerns across regional communities and we are acting—

**The Hon. Sarah Mitchell:** Point of order: My supplementary question was specific. I wanted dates for when the pilot in Moree would be finished, how it will be evaluated and when other communities would expect to see support. The Minister is not answering that question. Mr President, I ask you to direct her back to the question.

**The Hon. Courtney Houssos:** To the point of order: It is up to the questioner to ask the supplementary question and it is up to the Minister to be directly relevant to the question being asked. The Minister is being—



**The Hon. Sarah Mitchell:** It's not. When is it finishing? When is it evaluating?

**The PRESIDENT:** Order! The Hon. Courtney Houssos has the call.

**The Hon. Bronnie Taylor:** You should be very careful.

**The Hon. Courtney Houssos:** Are you ready?

**The PRESIDENT:** Order! There will be no discussion across the Chamber. The Hon. Bronnie Taylor will cease interjecting. The Minister has the call.

**The Hon. Courtney Houssos:** The Minister is required to be directly relevant to the question that is asked. The member cannot simply ask a question and berate the Minister continuously with the question over and over again. It is within the purview of the Minister to answer the question—

*[Members interjected.]*

**The PRESIDENT:** Order!

**The Hon. Courtney Houssos:** It is within the purview of the Minister to—

*[Opposition members interjected.]*

**The PRESIDENT:** Order! The Minister will resume her seat. There is far too little grace and civility in the Chamber today. Members need to take a breath and appreciate that these issues are important to communities. It is valid that people are concerned about them, and it is utterly reasonable for Opposition members to ask questions. However, it is also utterly reasonable that the Government has the opportunity to respond to the questions. Members will take a chill pill and allow the Minister to answer the question. Has the Minister finished her contribution to the point of order?

**The Hon. Courtney Houssos:** Yes.

**The PRESIDENT:** I uphold the point of order. The scope of the supplementary question was very narrow. The Minister will respond to the question.

**The Hon. TARA MORIARTY:** I will, by outlining some of the things that we announced yesterday because there are a different set of time frames for different parts of the package. It is a significant package that, again, is essentially a whole-of-government response to what is a serious issue for these communities. One thing that we are doing is expanding the YAM program—the Youth Action Meetings program—across New South Wales. In fact, we are trialling some things in Moree. This is an expansion of a program that has proven successful that we will be funding and running in other parts of regional New South Wales. It is a very important program that gets police, other services and government departments to provide assistance to young people who are in trouble and need wraparound services and complete attention to make sure that they get the support they need so that we can intervene in their lives before they continue on a path of destruction that, unfortunately, we are seeing. We are funding this program around regional New South Wales because we know that it works. Part of the bill that will be before the House at some point will have—

**The Hon. Jeremy Buckingham:** Point of order: It is very difficult for the crossbench to hear the answer that the Minister is giving when we have constant mezza voce interjections by the Deputy Leader of the Opposition. I ask that you rule that interjections are disorderly and that the Minister should be heard in silence so that we can hear the answer to a very important question rather than have constant interjections across the table.

**The PRESIDENT:** I uphold the point of order. Interjections are disorderly at all times. As I have said to members, there is a level of robustness in the Chamber during question time and I allow the odd interjection, assuming it is appropriate, relevant and pithy. But there is a tendency for members, not just the member whom the Hon. Jeremy Buckingham mentioned, to give a rolling commentary throughout ministerial replies. It is not appropriate and it is out of order. Members will be called to order if it continues.

**The Hon. ROD ROBERTS (11:22):** I ask a second supplementary question. Will the Minister elucidate her answer in relation to the place-based programs in Moree that she has alluded to? The Deputy Leader of the Opposition asked when will the programs finish. More importantly—I am very specific in my question—when will they start, bearing in mind there is a 12-month sunset clause that the Attorney General and the Premier announced yesterday. It is very important to know when this will start. It would want to start a long way before the 12-month sunset clause. Will the Minister tell us when it will start?

**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 honourable member for the question. As I was outlining in my previous answer, there is a range of initiatives that are a part of this program. A direct answer

to the question about when it will start is that we will have legislation before the Parliament. If it passes the Parliament, that is the time when what the honourable member referred to will begin. We need to change the law to begin the program. That is a matter for the Parliament, firstly.

One thing that we announced as part of this package was a bail accommodation service. Part of the legislation that we propose to change relates to bail laws for young people. In Moree we are proposing to trial a new style accommodation service that keeps young people on country—where it is relevant to some people who will be impacted by the changes—that provides intervention services and other services for people, as I have previously said, to essentially intervene in their young lives to try to provide the services and support that they need to stop them from continuing with the type of behaviour that is landing them before the courts in the first place.

Another thing that we announced yesterday, which will again require a change to the law, relates to the posting of videos while people are committing crimes. We need the Parliament to pass the law. I look forward to hopefully that being the case so that we can stop young people from encouraging each other with bad and dangerous behaviour by making it an offence to post on social media their activities while they are committing crimes. As I have said, Mr President, there is a range of initiatives. It is not as simple— [*Time expired.*]

### MENTAL HEALTH SERVICES

**Dr AMANDA COHN (11:24):** My question is directed to the Treasurer. The mental health inquiry has received a significant volume of evidence from key stakeholders about the funding gap for mental health services. Mental health accounts for over 13 per cent of the total burden of disease in New South Wales, but investment in mental health care is less than 7 per cent of the State's total health budget. New South Wales invests the least per capita into mental health services compared with all other jurisdictions, and spending on specialised mental health services per capita has gone backwards since 2016-17. I acknowledge that it was the previous Government that got us into this mess, but that it is now your responsibility to fix. It will require a significant level of investment to turn around, and peak mental health bodies are calling for new and innovative revenue streams. What budgetary measures is the Treasurer considering to fully fund mental health services in New South Wales?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:25):** Firstly, can I applaud the courage of the member in asking me a question, and may it serve as inspiration for others as we manage—

[*A member interjected.*]

I accept that interjection; I won't be holding my breath. The doctor has asked a very important question and I can inform her that the New South Wales Government is investing \$2.7 billion in mental health services in 2023-24. I was asked about the specific measures that the Government is contemplating or has already budgeted for. I will set out, in our first budget, some of the additional investment that we made. We went to the last election promising \$6.5 million over four years to Lifeline. We have delivered that. We said that we would provide \$17.1 million over four years to support the Kids Helpline. We delivered it in last year's budget.

But we accept the point that the member is making that the previous Government has left us with quite the issue when it comes to mental health treatment in the New South Wales health system. Dare I say it is not just in mental health. As we saw yesterday with the release of the latest Bureau of Health Information data, the Government is facing some pretty severe challenges in respect to emergency departments due to a decade of underinvestment in them. The fact that we have been able to allocate money to support an Emergency Department Taskforce is one sign of how we are trying to free up capacity in the system to redirect resources to provide us a better position to be able to invest more in mental health and elsewhere in the New South Wales health system.

I also point out that I well and truly accept the fact that mental health problems especially are affecting our young people and a lot of young people are now presenting. The fact that we are establishing a culture of people seeking help is a good thing. The fact that we are encouraging people to reach out is a good thing. The fact that heretofore we have had an element of bipartisanship on this is a good thing as well. If we are going to sustain a culture of supporting people's mental health throughout the entire time, it is important that it remains above politics. I am for the debate about better ways for us to respond. I am for the debate about whether or not we can be doing a better job and whether or not there are better ideas that we can adopt. The one thing that I do think we all have in common is that we want to see a better result from investments we are making ultimately because that will help the people we are here to serve.

### FERAL PIGS

**The Hon. CAMERON MURPHY (11:28):** My question is addressed to the Minister for Agriculture. Will the Minister update the House on the Government's campaign against feral pigs in New South Wales? Is the Minister aware of any alternative approaches?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:28):** I thank the honourable member for the question. We have a particular focus on biosecurity measures in New South Wales and in August last year I advised the House that I was on the hunt for a pig tsar to lead our Feral Pig Program. Through my engagement with regional communities, my understanding is that, whilst I have been on the hunt for a pig hunter, the National Party members opposite have been on the hunt for seats in Canberra. How is that going? It is no wonder the Hon. Wes Fang is strutting his stuff in videos around Parliament. If they are successful in their campaign for Canberra, he will be the most senior National Party member in this place, which is quite a terrifying prospect for democracy in New South Wales. My program is proving to be more successful. I am delighted to update the House that the program has taken out 45,000 pigs in the past four months.

**The PRESIDENT:** Order! There is too much audible conversation in the Chamber. It is difficult for Hansard to hear.

**The Hon. TARA MORIARTY:** That amounts to over 300 pigs a day, with the crack feral animal aerial shooting team working alongside ground teams involved in trapping and baiting. Feral pigs are a big issue for farmers. They tear up crops, kill and eat livestock, and carry deadly diseases that can spread to livestock, pets and humans. Feral pigs can get as big as footballers—up to 140 kilograms in some cases. They breed rapidly in good conditions and can overrun local areas. That is why our Government listened to farmers and committed an extra \$13 million for feral pig management through our coordinated program. Our Government is working with landholders and farmers to eradicate these pests.

Local Land Services has provided 93,000 kilograms of free bait to landholders and has run 62 sessions focused on feral pig management for farmers. As our program continues to roll out, we will continue to engage with local communities. Members opposite are aware that I place great importance on engaging with regional communities. I thank them for the videos. Overall, our program has so far protected over five million hectares through aerial and ground control measures. While there is no silver bullet when it comes to feral pig management, our approach is working. This is just one of our Government's biosecurity measures to fight off the pests that threaten our State's farms, flora and fauna. Whether it is white spot, fire ants or wild dogs, our Government is committed to taking action to protect farmers, landholders and the environment from unwanted pests and diseases. *[Time expired.]*

#### **MINING IMPACTS INQUIRY DRAFT REPORT**

**Ms CATE FAEHRMANN (11:31):** My question is directed to the Minister for Natural Resources. During budget estimates last week, the Minister told me that she had no involvement in the contribution by Government members to the draft report of Portfolio Committee No. 2 - Health on its inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales. However, during that same budget estimates hearing, the executive director of the Resources Regulator told me that he had seen a draft recommendation and then an edited final recommendation for the report. What is the Minister's response to the fact that at least one senior official in her department provided input into at least one recommendation to this draft report but neither she nor her office was consulted?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:32):** I thank the honourable member for the question about the upper House inquiry into heavy metals mining. The long title of the inquiry is escaping me at the moment. It is correct that the member asked me specific questions about my involvement with the preparation of the report. I was really clear. I take the work of parliamentary inquiries seriously. I think it is important that members of that committee undertake that work. I was asked specific questions about my involvement. I did not see a copy of the draft report prior to it being presented, and I said that at budget estimates last week. I am aware of the testimony of the Resources Regulator witness that he had seen that, but I am not aware of how he received that information.

**Ms CATE FAEHRMANN (11:33):** I ask a supplementary question. Will the Minister elucidate her answer where she says that she is aware that the executive director of the Resources Regulator did see that recommendation? What was her response to him or what conversation has she had with him about that? She said she is aware of it. What is happening now?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:34):** I have not had any conversations with him about this matter.

## ROAD TOLLS

**The Hon. SCOTT FARLOW (11:34):** My question is directed to the Minister for Roads. Will the Minister rule out introducing a new toll on northbound traffic on the Sydney Harbour Bridge?

**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) (11:34):** I thank the member for his question. Perhaps it is his chance to slip a copy of the report under the door with his thoughts on the 230-page excoriation of his Government's policy. He is a very young MP. The \$195 billion that will fall heavily on future generations will also fall heavily on the member. I feel sorry for him. In relation to the question, the Government was clear as it responded to the report. It will be taking its time to look at all the recommendations, and there are a significant number of them. Government members have not indicated a government view about them, other than the M5 cashback that I spoke about. I have spoken in the House about why we will take that position.

Specifically about the recommendation for two-way tolling on three of the roads relevant to the city, including the two harbour crossings, I simply say that the reviewers found that necessary to recommend. The Government has not taken a view on that to date. The issues they drew attention to relate to traffic flow, which is relevant as the Western Harbour Tunnel opens in 2028. They drew attention to the fact that all other toll roads are tolled in two directions. The Government has not expressed a view on that. We will take our time to work through the complex issues raised in the report.

It is hard to undo the deals that have been left for us. The clear view that is put to the Government and to the community is a better result than the 13 toll road deals, with two more on the way. A better result, with different prices and different impacts, would be to look at what this means for people who live and work around our city. When we add up those 15 roads, this is the moment to ask whether we, as a city, are happy with this patchwork or whether there is a better way to organise tolls that deals with congestion and affordability moving around the city. If we miss this chance, we will not look at it again until 2060. This is a once-in-a-generation chance to consider these tough questions. There is no easy way through after the hundreds of deeds that have been signed for the 13 toll roads so far, with two more on the way. This is a difficult issue. I am grateful for the report, and we will work through it carefully. There are serious public policy issues.

## SS NEMESIS SHIPWRECK

**The Hon. PETER PRIMROSE (11:37):** My question is addressed to the Minister for Heritage. Will the Minister update the House on the discovery of the SS *Nemesis* and the global call-out for the descendants of the crew members?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:38):** I thank the honourable member for his question. This is an incredible tale. A 120-year-old mystery has been solved. In 1904 SS *Nemesis* set off from Newcastle, with a load of coal and 32 crew members on board. She was bound for Melbourne but hit a storm off Wollongong and was last seen signalling distress. The bodies of at least four crew members washed ashore at Cronulla Beach in the days afterwards, but the whereabouts of the ship and the rest of the crew remained a mystery for more than a century.

Moving forward to 2022, a remote sensing company, Subsea professional marine services, discovered a shipwreck off Port Kembla while searching for lost shipping containers. The wreck was 26 kilometres offshore and 160 metres underwater. Heritage NSW experts who have spent years searching thought that it might be the SS *Nemesis*, but its tricky location made it hard to confirm its identity. Two years later, with the help of the underwater footage captured by the CSIRO on its way to Antarctica, they have been able to match the ship's distinctive features with old photos and sketches of the *Nemesis*.

The importance of the discovery and identification of the wreck extends beyond the State's heritage because of the 32 officers and crew lost when their vessel went down. Last month, at a media conference in Port Kembla, I called for relatives of the crew to come forward. I am happy to report the response has been remarkable, with 22 descendants contacting Heritage NSW to tell their family stories. The ship's crew members were from Australia, the United Kingdom and Canada. Between them, they left behind more than 40 children. So far, 22 grandchildren and great-grandchildren have come forward from New South Wales, Queensland, Victoria, South Australia and Western Australia. They include the relatives of the captain, Alexander Lusher, who went down with the ship. His granddaughter, Esther Field, who is 99 years young, and great-granddaughter, Denise Burrell, say this research and discovery has made their family folklore so much more real.

The story has travelled around the globe, with the tale being shared by everyone from the BBC to *The Times of India*, and we are hopeful of finding more family members overseas. The discovery provides closure to families

who did not know the final resting place of their loved ones. But it has also given us a better understanding and appreciation of the plight of SS *Nemesis* and details of shipping and trade from the early 1900s. I thank the incredible scientists and experts at Heritage NSW for their work. I thank the teams at the CSIRO for the little hand they gave us with the excellent photos of the wreck lying at the bottom of the sea. I also thank Subsea for solving this mystery spanning 120 years.

#### FORESTRY CORPORATION OF NSW COMPLIANCE OFFICERS

**Ms SUE HIGGINSON (11:40):** My question is directed to the Minister for Agriculture. Forestry Corporation is currently advertising four compliance officer positions, paid nearly \$135,000 per year, to coordinate onsite protest management activities and engage in prosecution of community members related to logging operations on the Mid North Coast, where a Great Koala National Park is meant to be created. Will those compliance officers also be required to ensure that the Forestry Corporation will comply with legal requirements to protect threatened species' habitat? Will those positions be required to investigate and launch prosecutions against Forestry Corporation employees and contractors for assaults and unlawful behaviour committed against community members who are working to protect our public forest estate?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:41):** I thank the member for the question. Of course, Forestry Corporation manages its own employment arrangements. It is not something that is reported to me or that I have oversight of. In relation to the question, I do not think that the job description that was alluded to by the member is in any way accurate.

**Ms Sue Higginson:** That is what it says.

**The Hon. TARA MORIARTY:** I understand that there are compliance roles in the corporation, and I am sure that those positions will be filled appropriately. In relation to the broader issues that were raised by the member, there is a requirement for people to conduct themselves appropriately, both those working in forests and also those who are protesting—having views and taking protest action is well within people's rights. However, as I have previously outlined in this House, I have had reasons to have significant concern relating to some of the activities that have occurred in our forests, to the point where I have been concerned that people could be seriously injured or worse.

Whilst those activities are entitled to occur, I remind everybody that forests are a workplace for forest workers, who are entitled to be safe in their workplace. People can protest within the law and express their views about the industry. Incidents that may move outside of that realm are a matter for the police. If people feel as though any kind of assault has occurred, as has been referred to by the member in her question, they should contact the authorities and work through the appropriate processes—firstly, through police, and then, if any action is taken by police, through the judicial system. That is the appropriate forum.

**Ms SUE HIGGINSON (11:43):** I ask a supplementary question. In part of her answer, the Minister seemed to imply that she is not cognisant of the job description, which does refer to protest activities. Would the Minister elucidate whether she thinks that the four positions at \$135,000 a year is an appropriate allocation of Forestry Corporation's resources right now?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:44):** I thank the member for the supplementary question. The employment relationships and arrangements that Forestry Corporation undertakes are a matter for Forestry Corporation. I do not get involved in its staffing arrangements. Forestry Corporation is a State-owned corporation and will make the arrangements that it determines for the running of the business. There are requirements that it has to meet in managing our State forests. I am sure employment relationships and employment arrangements cover those responsibilities. As I said in my previous answer, we know that a lot of activity relating to people's views about the industry occurs in forests. That means that resources from Forestry Corporation and also police are required to be used to deal with those issues. How they are dealt with is a matter for Forestry Corporation.

**The Hon. WES FANG (11:45):** I ask a second supplementary question. I refer to the Minister's answer. The question initially was about the four positions. The Minister spoke about the work that they may be doing and how that is a matter for Forestry Corporation. Does the Government believe that four positions are enough to protect forestry workers and to allow legal forestry action to occur in New South Wales forests?

**The Hon. Daniel Mookhey:** Point of order: Members cannot endeavour to solicit opinions from Ministers, nor can they suggest, imply or ask for the provision of legal advice.

**The PRESIDENT:** I uphold the point of order. The second supplementary question is out of order.

## ROAD TOLLS

**The Hon. NATASHA MACLAREN-JONES (11:46):** My question is directed to the Minister for Roads. Will the Minister rule out introducing a new toll on northbound traffic on the Sydney Harbour Tunnel?

**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) (11:46):** Another member of the Opposition steps up to ask about tolls but does not apologise for this \$195 billion dud deal. How could members opposite read this report—

**The Hon. Damien Tudehope:** Are you sorry that you have not delivered any answers yet? We are waiting for the answer, mate.

**The PRESIDENT:** Order! The Minister and I are waiting for members to be quiet so we can all hear the Minister's response. The Minister has the call.

**The Hon. JOHN GRAHAM:** How could members opposite read this report and simply not say sorry for what has happened? If they have gone through the details, there is no other conclusion they could reach. We have called for help from Allan Fels, one of the most serious public policy thinkers.

**The PRESIDENT:** Order! The Minister will resume his seat. The Leader of the Opposition has continued to interject throughout the last three answers. I have made it clear that continual peppering of questions during a Minister's response is out of order. The Leader of the Opposition occupies an important place in this Chamber and, therefore, I have not called him to order. However, he will cease interjecting. It is not appropriate behaviour. The Minister has the call.

**The Hon. JOHN GRAHAM:** Allan Fels is one of the most serious public policy thinkers in the country.

**The Hon. Natasha Maclaren-Jones:** Point of order: The question was quite specific: Will the Minister introduce a new toll? He has not got to the specifics of the question and we are halfway through the answer.

**The PRESIDENT:** The scope of the question was extremely narrow. The Minister will address the specifics of the question.

**The Hon. JOHN GRAHAM:** Thank you for the guidance, Mr President. A reason that I perhaps strayed is that I had already answered the question, which I was asked earlier. As I have indicated, the Government has not expressed a view about the many pages of recommendations, other than the single matter on which the Premier indicated the Government's position. We will take our time to respond, as we should. But we are extremely grateful for the 230 pages of recommendations. This is a serious public policy analysis from a very serious thinker—a Melburnian who has travelled to Sydney to examine our toll roads—who has looked at the deals, and who has not seen many worse in his time. The description in the report is shocking to an ordinary driver thinking about paying those tolls between now and 2060.

The former Government insisted that the cost of those tolls should be kept secret until 2060. Its position was that it would not tell us how much we had to pay until 2060. Then they wanted to keep it secret after that. Well, the bill is clear in this report. The bill is public. The deal is public. And the deal is shocking. They are great roads but the price we have paid is absolutely extraordinary—with \$195 billion still to pay. We have paid billions already, but that figure is still left for that \$16.8 billion road. What a deal! That is the view that Allan Fels has come to. The Government will take its time to sort through the complex policy mess that has been left to us by the former Government.

## PARKING FINES

**The Hon. ANTHONY D'ADAM (11:50):** My question without notice is addressed to the Minister for Finance. Will the Minister update the House on the action she is taking to protect consumers from the unfair practice of ticketless parking fines?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:50):** I thank the honourable member very much for the question and the opportunity to update the House on what I spoke about on the weekend at beautiful Bondi with the Leader of the Government. I have written to 128 councils, asking them to review their processes and make sure that they have a fair approach to the issuing of parking fines. I think that is completely reasonable. In the past couple of days I have been astonished by the amount of people who have agreed with me. It is completely reasonable for drivers who receive a parking fine to receive an immediate notification.

There is an important element to this because, if you receive a parking fine and you do not get the immediate notification, you cannot take a photo or collect evidence if you wish to dispute the fine. It also reduces

the impact of the fine to act as a deterrent. You might get fined multiple times before you realise you have received a fine at all in the post. I was speaking to a nurse last night and she told me that for three consecutive days she had been fined at the same location, receiving fines of over \$800 in total. She did not feel she could ask for a review because she felt that it showed a pattern of behaviour. At a time when so many families and households are under cost-of-living pressures, it can be a huge blow to the already stretched family budget. I want to be clear. The New South Wales Government values the important role that councils play in providing crucial services to local communities, but this is a key way we can address those cost-of-living pressures families are facing.

Forty-five per cent of all penalty notices issued in New South Wales last year were for parking infringements, and 55 per cent of those parking fines were issued by local councils using the ticketless parking fines scheme introduced in May 2020. That was clearly during COVID. There may have been a need to roll out ticketless parking fines, but it is yet another thing that may have occurred during COVID that we are taking a fresh look at to make sure it is fit for purpose. I will be clear. We are not changing the reasons people get fined or councils' discretion to fine people. But we do think that providing people with an immediate notification is important. It is just a commonsense change. It is a commonsense approach. If you receive a parking fine, you should have that immediate notification. I will be frank. I have been surprised at the level of community support for it. I am really encouraged by that. We do not believe in covert speed cameras or covert parking fines. We are bringing yet another commonsense approach to the people of New South Wales.

### GREYHOUND REHOMING

**The Hon. EMMA HURST (11:53):** My question without notice is directed to the Special Minister of State, representing the Minister for Gaming and Racing in the other place. At least two greyhounds have died as part of the Aussie Mates In The States rehoming program. Will the Minister please provide details of what happened to a greyhound by the name of Carey, who was planned to be exported from Australia but never arrived in the United States, and explain why the death of that dog and the circumstances of his death have not been made public?

**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) (11:53):** I thank the member for her question. I recognise her advocacy in this area. I can provide some general information and then some specific information about the particular dog that she has asked about. The Greyhound Welfare and Integrity Commission is responsible for initiating, developing and implementing policies relating to the welfare of greyhounds. That is why in September 2023 the commission developed and released *Best Practice Guidelines for Greyhound Rehoming*. Greyhound Racing NSW manages the Greyhounds As Pets program and assists independent rehoming organisations.

Greyhound Racing NSW is in charge of the United States rehoming program. It commenced exporting greyhounds for rehoming purposes in January 2023. Greyhound Racing NSW has notified the commission that to date more than 400 greyhounds have been rehomed through that program. I will outline some details of it. The key criteria for the United States export program include the safety and health of greyhounds. They must be pet friendly, desexed and between six months and eight years of age, and must contain no orthopaedic devices. It also includes health assessments.

In relation to the specific incident, Greyhound Racing NSW has advised that a greyhound named Carey died at the Hanrob Mascot kennel facility in September 2023, with the greyhound running into a fence during a period of free play and suffering a fatal injury. Greyhound Racing NSW advised that it reports the death of any greyhound in its care to the relevant authorities. There has been a commission audit of the United States rehoming program. The commission undertook a due diligence visit to the United States in October 2023 to ensure that Greyhound Racing NSW's US rehoming program meets the highest standards of welfare.

In October 2023 two commission staff members travelled to the United States for six days to look at the program and conduct the audit. They were able to observe the process of a shipment of greyhounds arriving in Dallas on 13 October that were processed through the program, including the facilities. They advised that all greyhounds arrived in excellent condition. They found that those aspects that were audited were compliant with the guidelines. That audit report is public. It has been published on the website of the commission, along with findings and recommendations. In addition to Carey, the greyhound that the member has asked about, one greyhound has died en route to the US: Barcia Jazz, who I believe the member might have asked about on a previous occasion. On that instance, I am advised they died of natural causes. The commission has recommended to Greyhound Racing NSW that it should be required to report on the death of any greyhound in the program.

**The Hon. EMMA HURST (11:56):** I ask a supplementary question. The Minister referred to Carey's death as occurring during free play. Will the Minister confirm that was not part of the transport that Hanrob was involved in when moving that greyhound to Mascot airport?

**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) (11:57):** I thank the member for her supplementary question. I have provided the House with all the information I have on that incident, so I would need to take the supplementary question on notice and check with the Minister. I am happy to do so and will provide an answer to the House in relation to the additional information she has asked for.

### ROAD TOLLS

**The Hon. JACQUI MUNRO (11:57):** My question without notice is directed to the Minister for Roads. Will the Minister rule out introducing a new toll on southbound traffic on the Eastern Distributor?

**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 will answer the question immediately, having accepted your previous guidance, Mr President, although I have now indicated to the House precisely the answer to it twice already, which is that the Government has not provided its response to the report yet. I can understand why members of the Opposition, particularly the younger members, are keen to know how this story ends. How are we going to get out of the trouble that the former Government got us into? It is going to be very complex. It will be part of a fascinating reform story in the city of Sydney if we can make some of those changes towards a less congested city, one where ordinary people can afford to drive around and where perhaps we can separate out, at different times of the day, the freight network from ordinary commuters trying to get around the city. At the moment all those things happen at exactly the same time. That is one of the issues we have. We cannot do that with the patchwork of hundreds of contracts and deeds.

**The Hon. Wes Fang:** Point of order: It is relevance.

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

**The Hon. JOHN GRAHAM:** The challenge is that we simply cannot drive that reform with the hundreds of deeds that sit behind these 13 toll roads, with 15 of them on the way. That is the hope. I understand why members opposite want to know how the story will end and how can we get there. It will take a bit of time. The Government is unashamedly saying that. We have not responded to the recommendations. Members opposite are right to point to the conclusions that the reviewers—serious public policy analysts—came to. They examined the issue and that is the conclusion they came to. The Government has not come to those conclusions yet. We will take our time to sort through this complex mess, this toll road privatisation puzzle, which was left to us by those opposite.

The Leader of the Opposition was interjecting. I should not respond, but he made a serious point. Both sides of politics signed up to toll roads previously. I am on the record as saying that is the case, but what the report makes clear is that so much of that \$195 billion weight on the wallets of drivers came from that WestConnex toll road deal. The Treasurer is right to point to one aspect of that—the toll going on the M5 East, which was a free road for 20 years. It was built for \$800 million and now is subject to billions of dollars of tolls between now and 2060. That is a sign of exactly how complex this deal is.

**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*

### MOREE YOUTH CRIME

**The Hon. SARAH MITCHELL (12:01):** My supplementary question for written answer is directed to the Minister for Regional New South Wales. When will the out-of-hours activities announced yesterday by the Government as part of its pilot begin to be delivered in Moree?

### MINING IMPACTS INQUIRY DRAFT REPORT

**Ms CATE FAEHRMANN (12:02):** My supplementary question for written answer is directed to the Minister for Natural Resources. Would the Minister outline the steps she has taken to determine who in her department saw the draft report of the inquiry into the impact of gold, silver, lead and zinc mining on human health and the environment, or any of its draft recommendations, findings or any other content and who they received it from?

### *Questions Without Notice: Take Note*

### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. DAMIEN TUDEHOPE:** I move:



That the House take note of answers to questions.

### ROAD TOLLS

**The Hon. DAMIEN TUDEHOPE (12:02):** I take note of the answers given in the report of Mr Allan Fels in respect of the tolling regime in New South Wales. Today the Minister had an opportunity in this House to give at least some comfort to the people of New South Wales. He made a great song and dance before the election and said that the Labor Government would be a government that provided toll relief. The Government now has an interim report that makes recommendations in respect of potential toll relief. Those recommendations are threefold: new tolls, higher tolls and more bureaucrats. That is the essence of the recommendations contained in this report. Today the Minister made the Government's first concession—that it will rule out one of the recommendations, which is in relation to removal of the cashback on the M5. He said that the Government considered it and, for very good reasons which he articulated in this House, would rule it out.

Let this great proactive Government deliver the toll relief that we have all been waiting for. There are a lot more suggestions made in relation to tolling. The Minister was given an opportunity of ruling out new tolls on the Sydney Harbour Bridge and the Eastern Distributor, but his answer was, "No. We're considering it." The proactive Government that is to deliver toll relief for the people of New South Wales was silent. If people who are paying tolls are waiting for this Government and this Minister to do something in relation to toll relief, they will be disappointed. What we have seen from this Minister is all talk and no action. That is the Minister's hallmark. He is great at talking about all the projects and the great problems that he has inherited. I challenge the Minister to read the report and to see that part that commends governments for entering into private-public partnerships to deliver better roads for the people of this State.

### STATE BUDGET AND GOODS AND SERVICES TAX

**The Hon. JEREMY BUCKINGHAM (12:05):** I take note of the answer given today by the Treasurer in relation to the Commonwealth Grants Commission and this State's share of GST. My fidelity is to New South Wales. I always want to see us doing better when it comes to Commonwealth grants and to make sure this State has revenue coming in that we need for essential services demanded by the people of New South Wales. I will not go into the methodology of the Commonwealth Grants Commission and make reflections on it, but I share some of the Treasurer's concerns. What I will discuss are the reasons for the commission deciding to allocate less revenue to New South Wales than to other areas. An issue that I have been raising in this House over a long period, as have other bodies, such as the Australia Institute and the Australian Greens, is that of coal royalties. The Commonwealth Grants Commission stated:

Coal royalties were the largest component of the mining revenue assessment in the 2024 Update. They continued to grow strongly due to an increase in both coal prices and the national average coal royalty rate. Royalties reached a new high in 2022–23 ... As a result of the strength of coal royalties, New South Wales and Queensland were assessed to have higher capacity than last year to raise revenue from mining royalties.

New South Wales is not getting money from GST because the Commonwealth Grants Commission and the Commonwealth Government are saying that this State has the capacity to increase coal royalties. We saw that last year with the \$2.6 billion increase over forward estimates to about 10 per cent for open-cut coalmines, but that is not enough. New South Wales missed out on the super profits when coal royalties were \$400 a tonne, but now the price is bumbling along at about \$140 a tonne. The Commonwealth Grants Commission and the Minerals Council have said that there is an opportunity to increase coal royalties to fill that gap. New South Wales has 20 huge coalmines proposed for expansion or modification. Those coalminers are not expanding those coalmines because they are not making a buck. There is an opportunity to increase coal royalties again in this State. The Commonwealth Grants Commission said that is the reason it cut our GST. We should grasp the nettle and increase coal royalties so that the people of New South Wales profit from a once-in-a-lifetime opportunity as we move beyond coal.

### ROAD TOLLS

**The Hon. CAMERON MURPHY (12:09):** Today I take note of the answers given by Minister Graham to the many questions asked in relation to the toll review. I listened with interest to the Leader of the Opposition's contribution. He said, "What's this Labor Government doing?" The most important thing this Labor Government has done is put a cap of \$60 a week on the tolls that people pay. That's a cost-of-living measure providing people with relief when they need it most. Let us not forget the architects of this absolute mess. While the former Liberal-Nationals Government built these important roads, when all of these roads were privatised it put in place a myriad of secret contracts and arrangements that favour large private toll companies, to the point that we have had to have this Fels review to try to understand the mess that needs to be unpicked.

At the moment, many people in Sydney and visitors from across regional New South Wales cannot use these wonderful roads because they are too expensive for ordinary people to access on a regular basis. That mess

is a result of the type of thinking that the Opposition put in place when it was in government. Roads without tolls such as the M5 East were tolled as part of this to encourage people into WestConnex, a new toll road those opposite built. It is too expensive for people to use, it is unfair and it is going to be a significant challenge for this Labor Government to unpick and understand the way that it operates. That is why we are going to take our time, as the Minister said. We are not going to make immediate decisions.

I found it fascinating that all of the roads the Opposition asked the Minister to rule in or out today are roads that are tolled one way only—the Eastern Distributor, the Harbour Bridge—in these areas that perhaps are the least affected by tolls. If someone lives in Western Sydney they are not paying one toll, one way; they are paying a toll each way and they are paying multiple tolls on multiple roads. The \$60 weekly cap is incredibly important because at least it limits the damage that the former Liberal-Nationals Government did to people by putting this enormous cost on them each day. I commend the Minister for his good work. These are difficult decisions, but at least they will go some way to fixing this mess.

### REGIONAL CRIME

**The Hon. SARAH MITCHELL (12:12):** Today I specifically take note of the answer given by the Minister for Regional New South Wales to my question regarding regional crime and when we might start to see more support for other communities. As members in this House would know—and I have been very open about it—I live in Gunnedah. Our community is really feeling some of the impacts of regional crime. The Minister was right to say I did some media this morning on 2GB with Ben Fordham and told the story of a very good friend of mine. Her family has been subject to two break-ins, one of which was a very horrific experience. People can hear that interview on the radio online. As a member of Parliament, we do not do that lightly. I love where I live. I love my community. But people are frightened and they want to be listened to.

The entire purpose behind the website we have set up is for people to tell their stories. We would love to see an inquiry and we will keep pushing that through the Parliament. But as representatives who do not fly in and fly out of regional communities but who live there day in, day out, we know that this is all that people are talking about. It does not matter whether I go to the supermarket, the post office or the local school gate to pick the kids up, people are frightened and they are talking about it. They are wondering whether that night it will be their house and their family that is impacted.

I acknowledge what the Government has done in Moree and I am not discrediting that. I lived in Moree for three years. People there are dealing with crime issues as well and they should be supported. But my concern is that under this Government we are seeing towns pitted against each other. The idea that the Government will come into Moree and help them is fantastic. But it is very difficult for me to go back to my community members on Friday, look them in the eyes and try to explain to them, "I'm really sorry, guys, but you're not getting the same support. You're not worthy of a pilot or trial." It is not just Gunnedah. There are issues in Dubbo, on the Mid North Coast and in Casino. I know that the member for Clarence, Ritchie Williamson, has been speaking about that too. I understand that these are difficult challenges to solve, but the responsibility of the government of the day is to make sure people feel safe in their homes.

From my experience, we have seen an escalation of and increased violence in the attacks. My friend is a mother who was held at knifepoint in front of her children. Her attackers threatened to kill her and they threatened to kill her kids. Her 12-year-old daughter was on the phone to her father, who was away for work, saying, "I know that Mum's still alive because I can hear her screaming." This happened. This is real. This is what people are dealing with. They want to be listened to and they want to be supported by the Government. What is happening in Moree is a start but it has to be much broader than that. The other issue is that we cannot do something in Moree and assume it will work in other communities. It has to be place based. We have to take people with us. We want people to tell us their stories through the website. Of course they will ring the police—that is what they do in the immediate instance of the crime—but more needs to be done. [*Time expired.*]

### FORESTRY CORPORATION OF NSW COMPLIANCE OFFICERS

**Ms SUE HIGGINSON (12:15):** I take note of the answer given by the Minister for Agriculture in relation to Forestry Corporation's advertised positions to deal with protesters. We need to take fierce notice of the fact that right now a State-owned corporation is advertising positions with activities that include:

- Leading a small team to coordinate on-site protest management activities including protest management planning, potentially including liaison with police.
- Collecting evidence, issuing penalty infringement notices (PINS) relating to entry into closed forests and interfering with harvesting operations and the like.
- Initiating prosecutions if warranted.

It is really concerning that we have come to this. These positions in forestry operations are advertised for the Coffs Harbour local area, where we are creating a national park amongst these forests. Because of our delay in creating and delineating the Great Koala National Park that we have been promised, we are now paying four positions around about \$140,000 per year on an urgent basis to literally prosecute and persecute the local community that wants to see the delivery of the Great Koala National Park they were promised. That promise has been on the books for around 10 years now. The delay in bringing this to fruition is costing communities and costing the Government. It is quite unbelievable.

We need to know from this Government whether this is a signal that now we will see the logging of those parts of the Great Koala National Park that to date have successfully been defended by local communities. I am talking Newry, Oakes and Clouds, those incredible high conservation-value forests that should be a national park. They are the beating heart. Those forests stand to be the line preventing threatened species becoming further threatened, critically endangered and then looking at extinction. I am talking about koalas, greater gliders, yellow-bellied gliders and the glossy black cockatoos. I am talking about that front line of defence against the most severe impacts of climate change. These forests are our most valuable defence. They are our carbon capture and our storage. It is shameful that we do not yet have our national park.

### ROAD TOLLS

**The Hon. MARK BUTTIGIEG (12:18):** I participate in the take-note of answers debate with respect to the discussion around road tolls. We had this discussion yesterday. If there was a prize for gall, those opposite would win hands down every day, every week of the year. They come into this Chamber and recite repeatedly "What are you going to do about it?" They spent 12 years on the Government benches doing dud deals with toll companies to monopolise the road system on behalf of the New South Wales taxpayers. Those taxpayers now have to foot the bill of \$123 billion until 2060 just to travel across their city to get to their workplaces, their shopping centres and their childcare centres so those opposite and their mates can have a nice, cosy deal about privatising an essential service. It is absolutely astounding that those opposite would ask us, "What are you going to do about it?" Well, we have already acted. In the short time we have been in government, the Minister has implemented a campaign promise to put a \$60 cap on toll roads, which started in January. Then, of course, there is the rebate for heavy vehicle drivers on the M5 East and the M8.

The report from Allan Fels, an eminent public policy analyst who believes in competition, has been quite scathing. He says that the deals that were done were very generous to the toll operators. The perception that has developed in the public mind—that these toll operators have too much market power and there is essentially a monopolised system of roads—was borne out by the investigation and the facts. The Government has the interim report. The final report will be out in quarter three of this year, and the Government will then look at it and act on it. In the meantime, the relief measures I outlined, which were promised in the campaign, have been delivered. The Government will not let those opposite crawl out of the screaming mess they have left New South Wales taxpayers in. They should be held accountable and they should be participating in the debate to help us fix it, instead of just repeating, "What are you going to do about it?" They know very well the Government is acting on tolls tangibly and through the final report later this year. If members opposite want to get back on the government benches, they had better think about participating in a positive way, because what they serve up to the Government on a weekly basis is laughable.

### PARKING FINES

**The Hon. SUSAN CARTER (12:21):** I take note of the answer given by Minister Houssos about paid parking tickets, especially the part of her answer where she spoke about the situation of a nurse who had received a parking ticket for parking in the street and did not realise that she had received the fine for some time. The question I ask is why was that nurse forced to park in the street? Why was there not affordable parking available for her at her place of work? She is a shift worker. She may well have been leaving at a time of night when she felt unsafe to be walking very far. She did not have affordable parking at her place of work because this Government has imposed parking charges on our health workers at their places of work.

I note the questions asked by Government members, indicating what they believe are important matters to ask the government of the day. I am sure they are important issues. They asked questions about feral pigs and the appointment of a pig tsar, whether parking tickets should be virtual or on paper, and the status of a 120-year-old shipwreck. The Coalition asked questions about public safety and regional and rural crime, and what is happening about it. The Coalition also asked questions, which, frankly, have been mocked by the Government, about what is happening about toll charges and about the cost of living. This indicates that what we are focusing on is public safety and cost of living, as opposed to who is shooting pigs and what is happening to 120-year-old shipwrecks. These things are all important but they do not focus on what is really critical for the people of this State.

## FORESTRY CORPORATION OF NSW COMPLIANCE OFFICERS

**The Hon. MARK BANASIAK (12:23):** I take note of the question and answer given on the appointment of protest managers within Forestry Corporation. I congratulate and thank the Minister for Natural Resources and Forestry Corporation for doing so. I have had many frank conversations with the Minister about the need to better manage protesters within forestry because of the risk to the safety of not only the protesters but also the workers as well. I thank the Minister and Forestry Corporation for taking steps to put in this initiative. It is a shame that we have got to the point where people need to be employed to manage the behaviour of others. It is a shame they cannot self-regulate and self-manage and adopt some level of personal responsibility, when they go out and protest, to do so in a safe manner. If Ms Sue Higginson is concerned about Forestry Corporation spending money on protest management, perhaps she can get some of her friends who do these protests to self-manage and demonstrate some level of personal responsibility in their behaviour so that the State is not put in the position where these people have to be employed.

## MINING IMPACTS INQUIRY DRAFT REPORT

**Ms CATE FAEHRMANN (12:25):** I take note of the answer to my question to the Minister for Natural Resources about consultation regarding the report of the inquiry into the impact of gold, silver, lead and zinc mining on human health and the environment. The Minister noted that she had not had any discussions with the executive director of the Resources Regulator regarding the fact that he had seen a draft recommendation of that report, as well as a final recommendation. I put on the record that Resources Regulator executive director Mr Peter Day could not recall where the recommendation came from. It was provided to him at his office in Newcastle. He said he saw a draft recommendation, there were some minor changes to it and then he saw the final recommendation. I asked him whether it had come from the Minister's office or from another office. He said he had no idea where it came from. He said he had no idea who changed it from a draft recommendation to a final recommendation.

When I asked Georgina Beattie, who is the secretary of the resources department, she said she was aware that Mr Day had seen some draft recommendations—plural—"but the draft report was not circulated within the department at all, to my knowledge". It is incredibly concerning that the public service, in looking at and assessing policy, has seen this draft inquiry report that was to be voted on by an upper House committee, but apparently the Minister has not. The entire chapter on rehabilitation was recommended to be deleted from the draft report on the motion of Government member the Hon. Greg Donnelly. I think about the Resources Regulator seeing that chapter. I have had conversations with the Minister about how she wishes to improve the regulatory environment around mine rehabilitation. Apparently members of the Government did not consult with her about that, but the Resources Regulator was consulted. It is also worth noting that Government members moved to have the draft report for 14 days. That is unprecedented; they usually have it for seven. Why did they need it for 14 days? I would say it is because they had to consult with their mates in the department and in the industry. Who knows? The Minister needs to get to the bottom of it.

## ROAD TOLLS

### REGIONAL CRIME

**The Hon. RACHEL MERTON (12:28):** I take note of the answer about road tolls. Showing my age, I take the House back to 1995 and the Bob Carr "axe the tolls" campaign. It was a firm election commitment by Carr to the people of greater Western Sydney to axe the tolls on the M4 and the M5. The consequence was that Labor was successful at the election in winning the electorates of Badgerys Creek, Blue Mountains, Bathurst and Gladesville. That was 28 years ago. Labor made a commitment before the last election about the toll cap and rolling that out to Greater Western Sydney—"What does this mean? When is it coming? It is coming now."

It is something that the mums and dads of Western Sydney are watching. As my colleagues have articulated, the cost of living is serious to these families. Let us not have another 1995 "axe the tolls" campaign and then after the election say, "It is not possible. We could not do it. We could not honour the promise to axe the tolls." We have had rather disturbing reports around regional crime and families. There are reports of experiences involving mothers and young kids. I remind members that it is not just regional crime; it is crime in the south-west and the greater west of metropolitan Sydney. At this point, the chronic shortage of police is not helping the problem. We commend the work that the police do on the streets.

We have absolute respect for them. But we still have signs in metropolitan police stations saying that they are temporarily unattended. People could be put on hold for 10 minutes with the local station; if they ring the adjoining one, it may be eight minutes. When will the station be open? We do not know. It is the rostered hours of one individual police officer that determine the opening hours of police stations in Sydney metropolitan areas.

On the back of that, we have the PCYC, which are well respected for what they do in the community. In the coming months, the Parramatta one is about to close its doors. We have had no commitment and no interest from the Minns Labor Government or the member for Parramatta. They are silent on it. We need a temporary solution to keep open the doors of the PCYC in Parramatta, which 300 to 400 kids attend every week. Let us be serious and genuine in our response to what the community are feeling on crime. [*Time expired.*]

### REGIONAL CRIME

**The Hon. WES FANG (12:31):** I take note of the answer given by the Minister for Regional New South Wales. When asked what will happen in Moree about yesterday's Government announcement on amending bail laws and programs for youth crime, the Minister politically attacked members of the National Party and then accused us of playing politics. The Minister is damned by her own actions and by the fact that she starts almost every answer with a political attack. Accusing us of playing politics belies the fact that we seek answers for our communities, because it is not just one community that is impacted but many across rural and regional New South Wales. The Nats will continue to ask questions of the Minister to ensure that the communities get their representation.

### 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) (12:32):** The take-note debate is as interesting as ever. There are a lot of views about the questions that the Government asked itself. At least we asked the question about the GST and the impact that will have on New South Wales. After having a tantrum yesterday because the Treasurer was not here, the Leader of the Opposition decided that he would not ask him any questions. It is a matter for the Leader of the Opposition and shadow Treasurer, but it is getting embarrassing that it is now over 180 days since the shadow Treasurer asked the Treasurer a question. But that is on him.

In relation to tolling, let us be clear. We have a patchwork of privatised roads that have grown over a period of time. It will cost motorists \$195 billion; some of these roads will have been paid for by motorists 10 times what they cost to build. Doing nothing is not an option. This Government is taking seriously what we took to the election, which is the \$60 toll cap currently being rolled out. It is one of the best cost-of-living measures while we work through the complex mess that we have been left with. We do not make any bones about that. The Minister has been extraordinarily clear about that. We are doing exactly what we said we would do. We will continue to do that as we fix the mess that has been left to us.

In relation to regional crime, no-one in this place thinks that people should not be safe in their homes or that the things people are experiencing at the moment are in any way acceptable. The Government has worked carefully through a package that is making its way through the Parliament. I will not go through that in detail today. The Minister for Regional New South Wales was clear about what we are trying to do. We are trying to provide wraparound services for young people. We will have a year to make that work. We are going to invest in Moree as the pilot.

Sometimes those opposite seem to be outraged that we are putting money into Moree. I remind them that when they allocated the bushfire grants, they did not see fit to put money into the Blue Mountains, which had some of the most severe impacts of that decision. Is there always a need for more money? Yes. Are there things that are not working well enough? This is exactly what this package is for. It is exactly why it has been designed in the way that it has. It is wrong for those opposite to suggest that no other programs have been rolled out across the State. A bunch of other grants programs are in place already. Within this package, there is also provision for the Youth Action Meetings, where police work with other agencies in an area, particularly with the most difficult young people. That really important program is being rolled out further. There are also other funding grants. Those opposite may not be across the details, but I say to them that we take it seriously. We are working through the mess that those opposite have left over 12 years. These things did not start overnight. [*Time expired.*]

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

**Motion agreed to.**

*Written Answers to Supplementary Questions*

### ASBESTOS-CONTAMINATED MULCH

In reply to **the Hon. SARAH MITCHELL** (12 March 2024).

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

The Environment Protection Authority's [EPA's] investigation is focused between March to December 2023. No additional details can be provided due to the EPA's ongoing investigation.

The information regarding the public schools that have had mulch test positive for asbestos is not available within the timeframes to respond to this question. The information can be provided once available.

### NET ZERO MANUFACTURING INITIATIVE

In reply to **the Hon. MARK LATHAM** (12 March 2024).

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

There is significant interest in renewable energy investment in New South Wales. Across the five declared renewable energy zones [REZs], industry has expressed interest in developing more than 100 gigawatts [GW] of wind and large-scale solar generation and more than 40 GW of storage.

In the Illawarra REZ, there is significant interest in developing a range of storage technologies, offshore wind and production of clean fuels such as green hydrogen.

There is existing capacity in the grid in the Illawarra for several projects to connect. We expect that at least 1 GW of additional network capacity will be needed in the 2030s to decarbonise industry and connect further new generation.

The Energy Corporation of NSW has started to work with Endeavour Energy and Transgrid, the existing network operators in the Illawarra REZ, on planning for new REZ network infrastructure.

Jobs are created by the full range of renewable energy generation, storage and network projects delivered under the Electricity Infrastructure Roadmap across all REZs, and the Government's net zero initiatives.

The Government is also providing up to \$275 million of funding in the current round of the Net Zero Manufacturing Initiative across programs in clean technology innovation, low carbon product manufacturing and renewable manufacturing. As expressions of interest are currently open we cannot yet provide information on the locations of initiatives.

Despite significant development across New South Wales to date it should be noted that the transition is a long-term project. We look forward to updating the House on its progress and significance for employment in local communities.

### *Documents*

### TABLING OF PAPERS

**The Hon. PENNY SHARPE:** According to the Passenger Transport Act 1990, I table the report of the Office of Transport Safety Investigations entitled *Bus Safety Investigation Report: Bus Fire MO9994 – Green Valley, 8 August 2022*, dated March 2024.

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

### *Visitors*

### VISITORS

**The PRESIDENT:** I take this opportunity to acknowledge in the gallery today Mr Nick Windmiller, who is a guest of the Hon. Emily Suvaal. He is very welcome.

### *Private Members' Statements*

### NSW LABOR COUNTRY CONFERENCE

**The Hon. EMILY SUVAAL (14:00):** I acknowledge the ongoing hard work and dedication of rural and regional members of the Labor Party in New South Wales. On Saturday 17 February and Sunday 18 February I had the pleasure of joining many of those members at the NSW Labor Country Conference. The country conference is a wonderful opportunity for all rural and regional members across New South Wales to come together to debate policy and ideas, and to have their say in the future of our great party. It is an opportunity for their tireless efforts and the great work that they do for our party in some of the most remote areas of the State to be recognised on a broader level, and also for them to have the opportunity to let us know how we are going as a government.

At the conference I was honoured to give the vote of thanks for the Premier and to speak about some of the great work that indeed we are doing for regional New South Wales. Our Government cares about regional New South Wales and the Labor Party cares and has always stood up for regional New South Wales. But we cannot do that without the work of our amazing rank-and-file branch members, and particularly those in country New South Wales. I would not be standing in this place if not for the ongoing commitment of our Country Labor members. My colleagues on this side of the Chamber would not be standing here if not for them. I take this opportunity to thank all of the wonderful country members of NSW Labor who made it possible. I particularly acknowledge and extend thanks to all of the members in my country duty electorates of Tweed, Ballina, Clarence,

Myall Lakes and Upper Hunter. Every day I am thankful and immensely proud to be the government representative in these areas.

I also take time today to thank those members who stood as candidates in many difficult races across the State and members who campaigned tirelessly for Labor in the 2023 State election. I know I have made mention of them in this place before, but we, as a party, honestly cannot thank them enough for their part in democracy. The fact that our country members get up every day and continue to advocate for their communities and the interests of their branches is a testament to their dedication. In particular, I think of the dedication of the Gulgong branch of the ALP and the countless other members of NSW Labor who made submissions and gave evidence to the previous upper House inquiry into regional health outcomes. The inquiry highlighted what we already knew, but it also highlighted that communities are frustrated and they want action to be taken. That is the work of this Government that is well and truly underway. The people of rural and regional New South Wales, regardless of political affiliation, inform the policy and actions of this Government every single day.

### **EASTERN BLUE GROPER FISHING RULES**

**The Hon. MARK BANASIAK (14:03):** On 20 February 2024 the Government announced a statewide ban on the taking of eastern blue groper by any means, with limited exclusion. By admission, the ban was imposed based on community sentiment following the rare instances of illegal spearing on the New South Wales South Coast. The actions undertaken by those involved were undoubtedly ill-informed, ignorant and condemned by fellow fishers and spearos alike. To mitigate the wrong, Fisheries and New South Wales police slapped the perpetrator with wet lettuce in the form of an inapt fine and never communicated the reasons for such a low fine, subsequently fuelling further community outrage. Then, in a snap decision to extinguish that fire, along came the Government, pointing their firehose directly at line fishers.

Fishers in Australia are culturally diverse and have a proven track record of self-regulating and working with the government of the day to keep stocks healthy. In the late '60s it was the spearos that flagged dwindling numbers with the Government and recommended that action be taken to preserve stock levels. It is of little surprise that imposing a ban on the eastern blue groper—with no data, no stock assessment, no index of abundance and no consultation prior to that ban—has upset the industry. Before enacting any prohibition, the Government should have considered a thorough impact assessment to justify the means and severity of a ban.

Without empirical evidence demonstrating eastern blue groper stocks, an outright ban is arbitrary and could be beyond the Government's regulatory mandate and seen to sit outside the objects of the Act. The Government has the authority to make regulations in fisheries management, but a complete ban on the blue groper may be ruled disproportionate. Less restrictive measures may have been more appropriate. The fact that these were never sought from the Minister or from her department may also contribute to a ruling that is ultra vires. In matters of regulatory action there is a presumption of lawfulness that attaches to government actions. Any restrictions imposed by the Government should be justified by a legitimate public interest and must be proportionate to the desired outcome. In the absence of compelling evidence demonstrating the necessity of a ban, the presumption of lawfulness would favour maintaining the status quo.

In conclusion, any attempt by the New South Wales Government to ban fishing of the blue groper must be scrutinised under the doctrine of ultra vires to ensure that it falls within the scope of its legal authority. Without a clear statutory basis, empirical evidence and a proportionate response, such a ban may be contested in court. This is a matter that can be resolved with active conversation and consultation. I say that the Government has gone too far with the ban in this instance, but not too far that it cannot be fixed, and my door is always open so we can have that conversation.

### **CHILD PROTECTION SERVICES**

**The Hon. NATASHA MACLAREN-JONES (14:05):** Every child deserves to grow up in a safe and nurturing environment. Sadly, in less than a year under the Minns Labor Government we have seen caseworker vacancies rise to 12 per cent, returning to the high figures that existed when Labor was last in office and when vacancies rates hit 20 per cent in June 2010. More children and young people are being reported at risk of serious harm, less are being seen and the number of adoptions is also falling. The New South Wales Labor Government has no solution to rectify the situation or to invest in child protection and early intervention to support families and young people at risk. We know that intervening early is more effective than a crisis response, which is why, when we were in government, we invested in a range of prevention and early intervention initiatives across New South Wales that were designed to help children, young people and families with varying levels of vulnerability and need.

The latest data we have from the September 2023 Department of Communities and Justice [DCJ] quarterly statistical report on services for children and young people and the DCJ caseworker dashboard shows that under

this Labor Government we have seen caseworker vacancy rates go from 4 per cent to 12 per cent in 12 months. I place on record my appreciation of the amazing work that caseworkers do across the State. They work tirelessly to support vulnerable young people. The fact is that the Minister needs to announce a plan to recruit as well as retain caseworkers and needs to do more to support them in their job. Across the State, risk of significant harm reports have surged by 7.7 per cent over the past 12 months and, due to staff shortages, less vulnerable young people are being seen. The caseworker dashboard revealed the extent of the shortage. The Mid North Coast, New England and northern New South Wales are experiencing vacancy rates as high as 23 per cent, with 18,628 children assessed as being at risk and only 2,997, or 16 per cent, being seen by a caseworker in the past 12 months. Western Sydney, Nepean and Blue Mountains regions had vacancy rates of 16 per cent, with 17,728 children being assessed and 24 per cent being seen. In south-western Sydney, vacancy rates are at 13 per cent, with 14,721 children being assessed and 22 per cent being seen.

The Public Service Association Union, which represents child protection caseworkers, has called on the Labor Government to fix the crisis. General Secretary Stewart Little stated:

Our members in child protection are telling us they've never seen the system in worse shape. They are stressed out of their minds and leaving in mass numbers.

Earlier this month, on the same day that the Minister appeared for budget estimates, it warned that New South Wales could be set for a year of industrial action. At last year's budget estimates, when the Minister was asked about the number of children in out-of-home care who were not attending school or were not in their placement—also known as "self-placement"—it was revealed that, as of 30 September 2023, 280 children and young people were not with an authorised carer. Again, it was revealed that around 20 per cent of young people in out-of-home care were not attending school. The Ageing and Disability Commissioner also shared these concerns. It is time for the Minister to stop political rhetoric and step up, take ownership and ensure that young people in New South Wales are safe.

### SCHOOL CLEANERS

**The Hon. CAMERON MURPHY (14:08):** Today I speak about the important issue of the pay and conditions of school cleaners in New South Wales. School cleaners are essential workers in our community who do the hard work of making sure schools are clean and safe learning environments for our children and working environments for our teachers and other school staff. During the COVID-19 pandemic, cleaners took on the burden of making sure that schools were clean and disinfected each night and worked to strict pandemic protocols. Like many essential workers during the pandemic, school cleaners made sacrifices for the whole community for the public good.

It is extremely disappointing to hear that school cleaners face harsh and unfair conditions in their workplaces. For example, 34 per cent of cleaners in New South Wales report having experienced harassment and/or discrimination at work. Further, 37 per cent have been injured at work in the past five years alone. In fact, school cleaners have the fifth highest workers compensation insurance premiums in New South Wales due to high rates of injury, coming after professions such as professional footballers and concrete construction workers. In addition, the workloads placed on school cleaners are getting more and more unreasonable, with 75 per cent of cleaners saying that their workloads have become worse over the past five years, with working hours being cut while more tasks are being piled on. Currently, cleaners are expected to perform on average 634 tasks during each shift, leaving a meagre 43 seconds per task.

While this is happening, private corporations such as Serco and Ventia, whose largest shareholder is United States mega-bank JPMorgan Chase, are making estimated profits of \$100 million on government cleaning contracts. That is because school cleaning was shamefully privatised 30 years ago by the then Liberal Government. When I had the pleasure to meet recently with a delegation of school cleaners, they highlighted the myriad ways that privatisation leads to downward pressure on their pay and working conditions. That is why I welcome the Minns Labor Government's commitment to review the privatisation of school cleaners. This is clearly a much-needed move to look at ways to improve conditions for these essential workers. Further, I commend all school cleaners and the United Workers Union for their advocacy on this important issue.

### RENEWABLE ENERGY

**The Hon. ROBERT BORSAK (14:12):** We need to address the stark reality of our actions in the headlong rush for New South Wales and, indeed, for Australia as a whole to embrace renewable energy solutions to combat the mass hysteria that climate change has become. We find ourselves in a paradoxical situation where the pursuit of green energy is ironically leading to the destruction of habitats and the endangerment of species that we seek to protect. For instance, take the plight of our much-beloved koalas, the iconic symbol of the political left looking to shut down rural and regional New South Wales. They find themselves displaced from their tree homes not by sustainable forestry practices, as the left might hope, but by the relentless march of deforestation driven by



the installation of green wind turbines and the expansion of green renewable energy projects across the length and breadth of the main divide of eastern Australia.

It is a tragic irony that, in our haste to reduce carbon emissions, we are causing irreparable harm across Australia to the very creatures that make our land unique. Countless birds and animals are falling victim to wind farms across our country every day, their lives sacrificed on the altar of decarbonisation. The fact that staff of windfarm developers are being trained in how to euthanise injured koalas speaks volumes about the disregard for our wildlife in the desperate pursuit of votes in the name of renewable energy. Where is the outcry? Where is the righteous indignation from those who profess to champion environmental causes? The silence from The Greens and the Animal Justice Party in this place is deafening, if not sickening.

The New South Wales Government, The Greens and their cronies seem content to sacrifice our forests, disrupt our communities and devastate livelihoods in the name of political expediency to win votes. This headlong rush to decarbonise our electricity sources must not come at the expense of our wildlife, our ecosystems and our moral conscience. We must demand the responsible planning and implementation of these projects, ensuring that appropriate sites are chosen and the impacts on our wildlife are mitigated. It is ridiculous to create a koala national park at the cost of \$80 million and then devastate the forests, ecosystems and habitats of our precious koalas and the latest green darling, the greater gliders. It is time to demand accountability and insist on a future where progress is measured not in kilowatts and carbon emissions but in the preservation of our natural and cultural heritage for generations to come.

### CENTRAL COAST INFRASTRUCTURE PROJECTS

**The Hon. SCOTT FARLOW (14:14):** With the inclusion of Gosford, Tuggerah and Wyong in the Transport Oriented Development Program, it is worth exploring some of the infrastructure projects needed on the Central Coast to support additional population growth in these communities. Let us check in on the status of some key infrastructure projects for the Central Coast. The provision of early learning facilities on the Central Coast is a key issue. Under the Coalition and former Minister Mitchell—who I note is in the Chamber—there were 11 universal pre-K sites committed to the Central Coast to support local families and give the youngest residents of the coast the best start in life.

I was saddened to learn that Labor has allocated only two new early learning facilities on the coast—that is two under Labor and 11 under the Coalition. As far as Labor cuts go, this is a doozy. Locations at Ettalong, East Gosford, Kariong, Northlakes, Woodport, Berkeley Vale, Narara, Niagara Park, Kanwal and Wyong are being denied new early learning facilities under Labor's cuts. Child care is a massive issue for local families, especially where parents are commuting to Sydney for work. Labor is letting down working families yet again, first by cutting Active Kids and Back to School vouchers and now by delivering less early learning support. Why is the Labor Government ripping away opportunities for communities on the Central Coast? It is nothing to be proud of.

Moving to road infrastructure, funding for the \$387 million Central Coast Highway upgrade was provided under the former Coalition Government. Early works for the Tumby Road intersection were completed in February 2023 under the Coalition Government, yet since Labor was elected nothing more has happened—another important project is sitting idle. The intersection at Tumby Road is a major choke point on the Central Coast Highway where two lanes go down to one each way. This important road upgrade has since been delayed, subject to State infrastructure review, which has halted the Central Coast Highway upgrade that was due to finish by 2027.

Funding was provided under the Coalition Government for the Woy Woy ambulance station development, which has since opened. The development was initially opposed by the member for Gosford but welcomed once opened. That is a classic Labor MP reaction—oppose a project and then love it when it is opened and come along to cut the ribbon. With population growth on the Central Coast, the community needs improved emergency services. With great concern, no funding has been committed or announced to support and upgrade the other ambulance stations on the coast in Lisarow, Berkeley Vale and Kincumber.

Do members sense a theme? The Coalition provides funding for important projects on the Central Coast and the Labor Party makes cuts and takes no action once in government. The findings make it clear that Labor is not committed to funding for the Central Coast. Sadly, I only get three minutes to discuss these matters; I could go on. Labor is not standing up for better infrastructure on the Central Coast to support the additional planned population growth. With \$1.65 billion lost in GST payments and the Premier and the Treasurer failing to pick up the phone to Canberra, the situation will only get worse.

### MEMBER CONDUCT

**The Hon. EMILY SUVAAL (14:18):** I highlight a somewhat concerning trend that I have witnessed on returning to Parliament this year, which was evident at the recent budget estimates hearings. There has been an

increase in isolated but increasingly poor behaviour that all of New South Wales would agree falls well below the acceptable standards that the public would expect of members in this place. I understand the importance of strong debate and robust democracy. I understand that the Opposition and crossbench have a role to play in holding the Government to account, and I respect that. That is a longstanding tradition in this place. However, some questioning during the recent budget estimates hearings was increasingly personal and aggressive. I refer members in this place to the *Legislative Council Practice*, which I have read in earnest. I have often frequented page 819, which states that questioning should not be overly aggressive or personal in nature. Then it provides a footnote, 97. I will read out the footnote for members, which states:

The risks of overly aggressive or personal questioning of a witness during an inquiry were demonstrated most tragically in the United Kingdom in July 2003 following the appearance of defence consultant Dr David Kelly before the House of Commons Select Committee on Foreign Affairs. Dr Kelly subsequently took his own life.

This is a call to action for all members in this place: If you cannot say anything nice, do not say anything at all. Above all else, be kind. We are all human beings, and our behaviour has an impact on many others in this place. That impact is felt not only by the members of this House but also by the wonderful staff who work in this Parliament. I urge all honourable members to take note of page 819 of the *Legislative Council Practice*. As I said, above all else, be kind and have compassion. At the end of the day, we are all human beings. The perception that the public may have of us may be somewhat different, but at the end of the day we are all human beings.

**The PRESIDENT:** I thank the member for that important contribution. The Hon. Emily Suvaal sought the call twice in this debate, and that is not precluded by the standing orders. For the benefit of members, if any other Government member had sought the call, I would have gone to them first before I called the member for the second time.

### GAZA CONFLICT

**Ms ABIGAIL BOYD (14:21):** History will judge the failure of every public individual who failed to use their position to condemn Israel's genocidal assault on Gaza and do whatever they can to end it. So far at least 31,000 people—including over 12,000 children—have been killed in Gaza, with more than 8,000 missing. Tens of thousands more have been injured. Hundreds have been killed and thousands more injured in the occupied West Bank. Despite Israel declaring that Rafah, Gaza's southernmost city, was to be a safe zone in the first weeks of the war and more than a million displaced Palestinians fleeing there to seek safety from the relentless Israeli bombardment, Israel has carried out drone strikes there, killing thousands. There is no safe zone.

The Federal Labor Government has shamefully withdrawn funding from the United Nations aid agency. What aid is being delivered is being blocked by the Israeli military, forcing aid packages to be airdropped into Gaza. Even when aid does successfully make its way in, the Israeli military is now gunning down civilians as they try to access it. Over 112 people were killed and 280 injured in northern Gaza when Israeli forces opened fire on hundreds of starving civilians as they tried to reach the first food delivery to arrive in a month. There is no safe place in Gaza. Today Israeli Prime Minister Benjamin Netanyahu has reiterated his intention to continue his assault in Rafah. Israel will "finish the job", he said. There is nowhere else for the 1.5 million Palestinian civilians sheltering in Rafah to go. There can be no ambiguity in his meaning; there is no shying away from his clear genocidal intent.

Regardless of anyone's position prior to 7 October or in the days and weeks immediately following it, the situation has now surpassed any possibly defensible threshold. Failure to call for a ceasefire is to be complicit—to be totally and utterly morally and ethically bankrupt. How any person can witness the indiscriminate murder of tens of thousands of innocent civilians and not call for its end is a situation beyond my comprehension. I reject completely any criticism or calls for anyone to stay in their lane—that the atrocities being committed against Palestinians are not within our jurisdiction. We all have a moral responsibility to speak out and demand justice.

We can take actions in New South Wales to try to forge the kind of world we want to see around us. The New South Wales Government could easily boycott companies engaging in certain activities relating to settlements in the Occupied Palestinian Territories, as defined by the United Nations. But we have not. The New South Wales Government could cease providing tax breaks and incentives to weapons manufacturers—in particular, those whose weapons and bombs are being deployed against the innocent Palestinian population. But it has not; shame on the Minns Labor Government. We cannot look away. There is no morally justifiable position other than to publicly, loudly and repeatedly demand a ceasefire and a permanent and lasting peace. Ceasefire now!

### ISOLATED CHILDREN'S AND PARENTS' ASSOCIATION OF NSW

**The Hon. SARAH MITCHELL (14:24):** On Wednesday 6 March I attended a wonderful conference in Dubbo, which was the Annual Conference of the Isolated Children's and Parents' Association of NSW [ICPA]. The ICPA does an incredible job, advocating for the education of families and children in more remote parts of

the State. I always enjoy attending this conference. I have attended in the past, and it was great to be in Dubbo again. I acknowledge that Minister for Education and Early Learning, and Deputy Premier, Prue Car was also briefly in attendance to address the membership and the delegates. The Leader of The Nationals and member for Dubbo, Dugald Saunders, was also there; along with Federal MP Mark Colton; Senator Perin Davey; and Fiona Nash, the Regional Educational Commissioner. A lot of dignitaries were at this particular event, and rightly so.

The ICPA does incredibly important work, advocating for some of our most isolated students. I congratulate Tanya Mitchell, the president, and all of her executive members, many of whom I have known for years and worked with during my time as education Minister. While I do not want to single anyone out, I will mention David Butler, who is a committee member who was awarded life membership on the day I was there. He was incredibly humbled. The way that others spoke about him and his dedication really indicated to me that this is what great grassroots regional organisations are all about. They are made up of people who attend and literally give their lives to making their children's world a better place, and that is very admirable.

A number of important motions were on the conference agenda. There was certainly debate around things like making sure that students had the access they needed to reach their schools or their early childhood education services. Not surprisingly, there was also quite a bit of talk about telecommunications and distance education, given the nature of the delivery of education in those communities. I also thank the parents who spoke to me about individual issues in their schools. I will be following up on a few things and advocating on their behalf with the Minister and with the Government.

Finally, I will mention one of the guest speakers, Joh Leader from LeaderLife in Dubbo. Joh is an extraordinary woman. She runs LeaderLife, a not-for-profit organisation that helps young people in need to get back into education and employment. With her was Kira, who is on the Advocate for Children and Young People council. She has been part of the LeaderLife family for many years and has the most incredibly powerful story. Hearing from her made it all the more evident why we need to have great programs for young people in our regional communities. We need those programs so young people can have access to a fantastic education. That is exactly what the ICPA advocates for. I congratulate everyone involved in the conference.

#### *Motions*

### **KIWARRAK STATE FOREST**

#### **Debate resumed from an earlier hour.**

**Ms SUE HIGGINSON (14:28):** As I was saying earlier, Kiwarrak State Forest is not just a haven for koalas; it also shelters other threatened forest and hollow-dependent species—owls, gliders and glossy black cockatoos. Forest biodiversity is at risk if we do not take immediate action, especially given the recent evidence of noncompliant pre-logging habitat surveys conducted by Forestry Corporation. Of particular biodiversity interest is the critically endangered pale yellow doubletail orchid, which is only found in a handful of locations, one of them being Kiwarrak State Forest. Our responsibility to protect and preserve such unique flora cannot be overstated. It is one of the reasons that the community has prepared a detailed proposal for the establishment of a flora reserve across at least compartments 10 to 13 in Kiwarrak.

The concern of the local community is palpable, as demonstrated by the recent gathering of residents in Tinonee. Their collective voice expressed through a letter to their local member underscores the urgent need for action. I understand that this proposal has gathered the support of the local Federal and State members of Parliament and it has been presented to the New South Wales Government, environment Minister and agriculture Minister. I strongly urge those Ministers to work together with the community to make their vision a reality. This could be the rarest of instances, when The Nationals, Labor and The Greens all agree on an environmental matter, possibly a "green moon" moment. Kiwarrak also boasts an extensive network of kilometres of bike tracks, providing economic and health benefits to both locals and visitors. The tracks contribute to the wellbeing of the community while promoting a sustainable and active lifestyle that engages people with their natural environment.

Community risk of climate-driven catastrophes is another key argument against allowing the logging of Kiwarrak to go ahead. The vast majority of research, and all independent research, shows that increased fire risk results from logging, as the operations increase the fuel load on the forest floor and open the canopy, reducing moisture in soils. The urgency of this motion is the impending commencement of logging at Kiwarrak on 25 March. The time to act is now, before irreversible damage is done. I implore this House to call on the Government to immediately prevent logging of Kiwarrak State Forest. The reasons are clear: We must prevent local extinction of koalas and other tree-dependent species, preserve natural values and benefits to community health and amenity, and reassure local communities that reducing catastrophic bushfire risk is an overriding priority for the New South Wales Government. I urge all members to know that this is possible today; we can do the right thing by Kiwarrak and the incredible community.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:32):** I thank Ms Sue Higginson for her ongoing advocacy on koalas. She has taken this seriously for a long time and, while we do not always agree on the process and the way through, we are both joined at the hip when it comes to our desire and commitment to save koalas in the wild in New South Wales. The Government cannot and will not accept a future without koalas in the wild in New South Wales. We are taking action to bring that important species back from the brink. Before I go into those actions, I move an amendment to the motion. I move:

That the question be amended as follows:

- (1) In paragraph (1) (c) omit at the end "while simultaneously logging known koala habitat".
- (2) Omit paragraph (1) (d).
- (3) Omit paragraph (1) (e).
- (4) Omit paragraph (1) (g) and insert instead:
  - (g) the Friends of Kiwarra Group have prepared a detailed proposal for an area within the Kiwarra State Forest to be set aside as the Kiwarra Flora Reserve.
- (5) In paragraph (2) omit all words after "calls on the Government to" and insert instead "meet with the community about this proposal as soon as possible."

We understand that the Friends of Kiwarra group has a proposal, and we are always open to looking at proposals from the community. A range of flora reserves exist within State forests, and proposals in relation to them come forward. It is a matter for my colleague the Hon. Tara Moriarty to declare those, but we are happy to talk to Friends of Kiwarra. I will quickly run through what is happening for koalas in New South Wales—aside from the fact that their situation is dire and a huge amount of effort is going into saving them from extinction.

Since March 2023 over 7,737 hectares of koala habitat have been purchased for inclusion in the national parks system. Funding continues to be delivered under the NSW Koala Strategy to restore and manage koala habitat, fix priority koala vehicle strike hotspots, support councils to deliver koala habitat maps, increase engagement of schools and local community groups, and partner with regional experts to deliver on-the-ground action. There is also drone work being done to count koalas. I give a shout-out to the people doing that work. It is taking a while but making a real difference and is extremely exciting. We have discovered new populations that we did not know were there, which is very promising for us and a rare bit of good news. The whole point of the Koala Summit that will be held at the end of next week is to pull apart the strategy and ask, "Are we actually going to save koalas? Are we on track? What do we need to change?" It will bring together some of the smartest people across the State who are passionate about the future of koalas. I look forward to working with them.

**The Hon. SAM FARRAWAY (14:35):** On behalf of the Opposition, I flag the good work of the member for Myall Lakes, Tanya Thompson, who has been writing to Minister Sharpe consistently and following up on correspondence on behalf of the group and those 40 community members. Minister Sharpe will not get this from me much: I support the amendments that the Minister has moved. They are sensible and reasonable amendments to the motion from The Greens that recognise that, although community members and the group want a flora reserve, they do not support the banning of logging in the entire State. They want a coexistence model. They want a flora reserve. It was reassuring to hear Minister Sharpe commit to meeting with the community members and engaging with the member for Myall Lakes on that. The Opposition supports the Government amendments. We thank the Minister for the commitment to meet with the group and have dialogue with the member for Myall Lakes. We also thank her for finding a sensible centre for the situation.

**The Hon. EMMA HURST (14:36):** I thank Ms Sue Higginson for moving the motion. The impending logging of Kiwarra State Forest is of deep concern to the local community and anyone who cares about the protection of wild animals and their habitat. As the member noted, the once abundant population of koalas at Kiwarra State Forest was badly impacted by the 2019 Black Summer bushfires and has not yet recovered. If the Labor Government seriously cared about koalas, it would be doing all it could to protect that vital habitat, not allowing it to be logged or destroyed. That is exactly what is going to happen, though, on 25 March. It is both sad and ironic that the logging will commence three days after the Government's long-awaited Koala Summit. The reality is we already know how to save koalas in New South Wales. It starts with protecting their habitat from logging and development.

I first became aware of the threat at Kiwarra State Forest in October 2023, when local community members wrote to my office about their concerns. I gave notice of a motion in the House and wrote to the environment Minister and the agriculture Minister. The logging was later delayed until March 2023. I was told that Forestry Corporation would continue to consult with the community, but it seems that it has simply chosen to forge ahead despite community objections. I thank Councillor Dheera Smith, all members of Friends of Kiwarra and all local community groups that have fought so hard to stand up for the forest and its residents.

I join with Ms Sue Higginson in calling for the Government to stop all native forest logging from proceeding and to protect vital animal habitat in New South Wales.

**Ms SUE HIGGINSON (14:38):** In reply: I thank the Leader of the Government, the Hon. Sam Farraway and the Hon. Emma Hurst for their contributions. This is well and truly a "green moon" moment, where we can all come together and agree on something for the environment and the community. Let us be real: Most importantly, this is about the koalas of that area.

I have no doubt the science would back the entire Kiwarra State Forest area as being a good area to protect and to be added to the protected area network in perpetuity for the recovery and survival of koalas across New South Wales as well as all other forest-dependent species. It is interesting that this State forest has 70 kilometres of bike trails through it. Those trails developed over time and it is precisely those areas that should wholly be added to the protected area network for combined and collaborative land-use activities such as recreation and conservation. It is much better for these areas to have recreational activities rather than the national parks system having them. The protected area network is such an important and valuable asset for the environment, threatened species, climate change, water quality and for the wellbeing and health of people.

I am incredibly grateful to all the members in this place for supporting the amended motion. Whilst it is not the motion I would like, I understand. In the spirit of collaboration, to achieve an outcome where good Ministers meet with the community to take on a proposal in earnest could result in a beneficial outcome for the local community and the environment. Creating flora reserves is something that we in New South Wales have done since 1916 when the first Forestry Act was passed by this Parliament. We may be in a position to create a new flora reserve that, hopefully, one day will become part of the protected area network under different legislation, such as the National Parks and Wildlife Act, and a higher protected area. That is completely heart filling and part of my ambition, along with many others in the community. I thank all members. I know that the Kiwarra community is grateful to everyone in the House.

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** Ms Sue Higginson has moved a motion, to which the Hon. Penny Sharpe has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

#### *Bills*

### **ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (SEA BED MINING AND EXPLORATION) BILL 2024**

#### **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 the next sitting day.

**Motion agreed to.**

#### *Motions*

### **MATHS EDUCATION**

**The Hon. SARAH MITCHELL (14:44):** I move:

(1) That this House notes that:

- (a) students will use maths every single day of their life, regardless of whether they pursue further study or work opportunities after they finish school; and
  - (b) under the Liberal-Nationals Government, maths was to become compulsory for year 11 students in 2025 and year 12 students in 2026 as part of the senior secondary curriculum reforms.
- (2) That this House calls on the Government to support the introduction of compulsory maths education from kindergarten to year 12.

I moved the motion because I think maths education is a really important topic. We should make sure that students are well equipped when it comes to their mathematics skills because, when they leave school, those skills will be incredibly important. Every member of this Chamber should agree that this matter is worth pursuing. I state at the outset that I deliberately worded the motion not to be derogatory. The motion calls on the Government to support it, but I am not condemning the Government's decision even though I think the Government has done our children a great disservice by walking away from this commitment. This is an important and serious debate to have, particularly as we know how important maths is in everyday life.

It does not matter what students do after they finish school. They will be using maths whether they pursue further study or work opportunities. Maths is part of everyday life. No-one ever questions that English is a compulsory subject in the HSC. We know it is really important to have key literacy skills. It has been a longstanding convention that has been in place for a long time that students study literacy skills from kindergarten to year 12 and through to the HSC. Under the former Government, this initiative was about also making maths compulsory. While I accept people need literacy skills, the former Government's argument was that people also need numeracy skills. I cannot tell members how many people I met with when I was the Minister but they included business groups, employers, further study organisations such as universities, and they spoke about their concerns for children who did not study maths post year 10.

I will make a couple of points about the policy of the previous Government. We were making sure that students studied some form of maths all the way through to year 12. We know already that close to 80 per cent already choose to take maths. It is the most popular elective and has been for a number of years, but the missing link was those who did not study maths past year 10, who did not those core skills and who were not reinforcing those skills in everyday learning through the senior secondary years. The former Government decided not to make a two-unit maths course compulsory that counted for their Australian Tertiary Admission Rank. Instead, the former Government worked with the NSW Education Standards Authority [NESA] and schools to pilot a numeracy course that was much more about the everyday application of maths. My recollection is that it was either a 100-hour or 200-hour course and it was not as onerous as taking on a two-unit course. It was about making sure that students could have those fundamental skills taught to them and learnt for the entire time they were at school.

I remember speaking to some of the teachers and students who were part of the pilot program that ran for two years. They spoke to me about the examples. For example, one student I met was studying VET and he wanted to be a builder. The maths he was doing as part of the numeracy course was based on his working on a job site and needing to add a room to a house, and how he would measure what he needed. How would he calculate the cost of his materials? What does his invoicing and business model look like if he was running his own business? It was a practical application of something that students felt was useful in a way that gave them the opportunity to continue this study. As I said, I have a few concerns with Labor walking away from this policy. I think it was well intentioned and it would have been better for our students if it had been in place.

I know that the former Government did extensive work through its five-year maths strategy, which was launched in 2019. The last year and a bit of the strategy was under this Government and was about getting more teachers into the subjects that we need and looking at primary and early high school maths. This was an opportunity to walk and chew gum at the same time. It was not about focusing only on senior secondary education. It was a maths strategy overall that had a lot of initiatives, such as a mathematics growth team, better teaching expertise, better teacher preparation, and better resources for our teachers.

What concerns me is that this maths strategy has finished. There was no announcement by the Government about anything it would be doing in this space. The announcement that the Government would not continue the policy of having maths all the way through to year 12 was not even announced by the Minister. I respect that those opposite are in government and can make decisions about what they want to do, but they were silent on this issue through all of last year. The Opposition found out about it because principals received an email from NESA saying that principals did not have to worry about that now because it is not happening. Where was the Minister? Why did she not put out a press release or do a stand-up announcement and say, "We're not doing it for this reason."

The Government should have a policy idea or rationale behind why it stops something instead of hiding behind the cover of public servants. Parents deserve better and the business community, who are looking for students who have these skills when they leave school, deserves better. The lack of transparency and

accountability from those opposite on this policy is what irritates me the most. Have the guts to stand up and say, "We're getting rid of it for this reason", or, "We're not continuing it now, but it might be something we do in the future." Be honest with the parents of New South Wales about policy decision-making.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:49):** I am delighted to make a contribution to debate on this important issue. I indicate from the outset that the Government will be opposing this motion. It is not that we dispute the importance of mathematics. Indeed, as the finance Minister I completely support the importance of mathematics to education. There is no doubt literacy and numeracy are key and foundational skills. However, we oppose this motion because it is factually incorrect.

I seek to correct the record on a number of things raised by the shadow Minister, and former education Minister, in her contribution; however, I also wish to correct the record on a range of issues. The idea that the current education Minister is in some way hiding behind public servants is a pretty audacious allegation, given the former education Minister's record in office. It demonstrates somewhat of a lack of self-awareness. Before I go any further, I quote the former Minister's comments from 2019. She stated:

Whilst we would like to see all HSC students study a form of maths in years 11 and 12 – this won't involve forcing them to take maths as a unit of study for their HSC, nor will it necessarily count toward their ATAR.

While the motion says maths was to become compulsory for year 11 and 12 students, this might have been a thought bubble from the Hon. Sarah Mitchell during her period as Minister but there was no plan to put that into action. The system we have inherited shows us that we have chronic vacancies across our classes, particularly in relation to maths. Adam Spencer on 2GB during breakfast this week spoke about the number of students who are being taught maths by a teacher who was not trained in maths, which is what the education Minister is trying to fix. Teachers teaching outside their subject area is a huge challenge that the education Minister is seeking to address, not to mention the thousands of vacancies where teachers are not even in front of the class. I commend the work of the education Minister. In particular, I draw the attention of the House to the work the Minister is doing relating to explicit teaching in our classrooms. A study found that year 7 students who experienced explicit teaching were four months ahead of their learning by year 9. We are fixing the problems created by the previous Government. [*Time expired.*]

**Ms ABIGAIL BOYD (14:52):** On behalf of The Greens I indicate that we oppose this motion. We strongly believe that teachers are the experts when it comes to curriculum and that politicians should not be the designers of curriculum. If we look at society's ills, I do not think we are identifying a lack of maths as being behind some of the gravest social challenges that we face today. We are concerned about the death of the humanities, and we are concerned about the lack of critical thought being taught. We have prioritised STEM for the past decade or so and it has clearly not had any great impact. We are still behind when it comes to international standards, so we do not believe that is the answer. We believe very strongly that we need to leave the senior subject choices to seniors and their parents. We are not about ticking boxes and I think the average employer these days is not about ticking boxes, either. We are looking for whole human beings. We are more focused on making sure that young adults are able to make their own decisions about the areas of focus for their studies.

**The Hon. SUSAN CARTER (14:54):** What are the skills we want our young adults to have so they can navigate life successfully after they leave school? A car is often the first item on the agenda, which usually means a loan. That means understanding investment, loans, percentage rates, how long it will take to pay off and how much interest will need to be paid, which means year 12 maths. Year 10 maths alone does not give young adults these skills. A credit card might be the next decision. Which of the myriad of options is best for their personal circumstances? How do they choose between fees, interest rates and interest-free periods? Year 12 maths equips them to make informed decisions about these important lifelong issues. Year 10 maths does not.

Perhaps they are interested in long-term security and properly understanding their superannuation? The big choice: avocado on toast or voluntary contributions to super? Year 12 maths will equip them to calculate how much super they will have when they retire and how much super they would have if making regular voluntary contributions. Young adults cannot do that with year 10 maths. Then they become parents—equal parts of excitement and terror, especially when the paediatrician tells them that their child is in the thirtieth percentile for height and the forty-fifth percentile for weight. Year 12 maths lets them know when to worry and when to relax. Year 12 maths gives our students the skills they need to live in an increasingly complex and data-rich world, which is why under the Coalition Government maths was to become compulsory for all students in year 12. It is why this Government should support the introduction of compulsory maths from kindergarten to year 12.

Society recognises the importance of literacy by requiring compulsory English instruction. We know that language is important to our lives and acknowledge that the literate perform better in workplaces and social situations. It is time to acknowledge that numeracy is just as important. We have just seen Australian figures

released about gender pay gaps. United Kingdom research shows that there is a link between women not having the equivalent of year 12 maths and women receiving lower rates of pay than their male colleagues. Indeed, the research shows us that low numeracy has a greater negative effect on women than men, even when combined with effective female literacy. If this Government does not reverse its decision and make maths compulsory for all, it is failing to equip our young people for successful independent living, particularly harming female students. Celebrations of International Women's Day are meaningless if not backed by real action to ensure the full participation of women in every aspect of our society.

**The Hon. MARK BANASIAK (14:57):** I speak in debate on this motion with 18 years of education experience. Many of those years were spent as a year adviser, advising students on things like subject selection. I also spent many years as a transition adviser, advising students on that school-to-work transition process. Some may think this is highly controversial, but the HSC is a mere means to an end. No-one gives a stuff what students got with their Australian Tertiary Admission Rank, or whatever it used to be called, two weeks after they leave high school.

**The Hon. Sarah Mitchell:** Tertiary Entrance Rank.

**The Hon. MARK BANASIAK:** Yes, the Tertiary Entrance Rank. We want kids to succeed by picking subjects that they will enjoy. If they enjoy them, they will excel in them. One of the worst educational mistakes a government made in Australia was raising the school leaving age to 17. It fudged the employment figures, but what it created in the school system was a whole heap of kids who did not want to be there and who disrupted the learning of others. That is all it achieved. Will it benefit individual students if we push them into a subject that they might not enjoy or excel at? That is a question that members need to ask. We need to weigh up whether students doing an extra two years of maths—whether or not it is geared towards a vocation—is better for them than it is for those students picking a subject they enjoy. That is the question we need to ask when making decisions around curriculum and subject selection.

We should leave the choice to the individual student, the parent and the teacher. As a teacher, I gave students the same talk I am giving members now: "Pick subjects that you enjoy doing. If you enjoy doing them, you will excel in them." It is as simple as that. If kids are pushed into subjects they do not want to do, we will see classroom management issues and disengagement from school in general. We will see results fall, not just for those individual students but also for the other students in the classroom who are disrupted by the disengaged student. Let us leave it up to the individual student.

I will put some context around one point that the Hon. Sarah Mitchell made about maths being one of the most popular electives. Historically, when schools were designing the lines for senior subjects, maths sat on a line by itself with no other option. In the last six or seven years of my teaching career there was a change in policy at the school level, where schools started offering some alternative subjects like vocational education and training on that line to create the opportunity for students to pick something other than maths that they would enjoy.

**The Hon. EMILY SUVAAL (15:00):** I also oppose the motion. Mandatory maths was a bit of a thought bubble, as has been discussed, by the previous Government that was announced in 2019 without consultation with the NSW Education Standards Authority [NESA]. It was walked back, then re-announced, and we are not sure where it is up to or what the evidence base is. Anyway, here we are today. When teaching maths it is important to have an early intervention approach whenever students are struggling because it is a foundational building block, and if the class moves ahead and a student is falling behind, it becomes harder and harder to catch up.

Maths is not something that everyone is naturally good at, so early intervention is key. That is where this Government comes in. It is focused on early intervention to make sure that every student has the opportunity to improve and increase their numeracy and literacy skills. However, numeracy and literacy skills cannot be improved without teachers. There is a chronic shortage of teachers in New South Wales, particularly maths teachers. Since Labor came to government it has made permanent almost 17,000 teachers and support staff working in the public sector. Not having enough teachers to teach students is a critical issue. Maths is a specialty, so not having maths teachers is an additional problem.

Years 11 and 12 is too late to fix the declining numeracy standards of New South Wales students. The claim has been that teaching until this age will do something to address the decline, but there are other important measures. NESA is taking the lead and doing great work in this space. I particularly acknowledge a couple of my old maths teachers who I remember very well: Ms Briggs; Mrs O'Reilly, who was my year adviser; Mrs Doyle, who taught me in year 9; Mr Wearne; and many others. I acknowledge a couple of my alumni colleagues who have gone on to become maths teachers. Some members may have heard of Eddie Woo and his Wootube. He was in the class of 2003, so a couple of years below me at school. Eddie has done some fantastic work in this space. I also acknowledge Amy Neat from my year, who has gone on to become a maths teacher and is doing great work in this space. We need more maths teachers in New South Wales, and this Government is up to the challenge.



**The Hon. MARK LATHAM (15:03):** I found the contribution of Minister Houssos to be quite extraordinary when she said that the abolition of compulsory maths in years 11 and 12 was because New South Wales is out of maths teachers. Well, one sure-fire way to minimise the number of maths teachers is to not have students studying maths in years 11 and 12. It is a self-defeating policy by this Government, about which Labor made no mention prior to the election. There is no election mandate for this. It was never mentioned. If it had been, debate about the policy would have already happened. It has been sprung on the system. I would go further than the motion, which states:

Students will use maths every single day of their life, regardless of whether they pursue further study or work opportunities after they finish school ...

Maths does much more than that. It is absolutely critical for training the human mind in logic, sequencing and rationality—all the values you want for the whole human and our humanity. Maths is very important in that regard. It is used in a range of activities, some of them non-vocational, when students finish school. There is a very strong argument for compulsory maths for those reasons. The Government is basically declaring defeat in trying to recruit more maths teachers. We will not get more of them if maths ends for a lot of students at year 10. The Government is minimising the number of maths teachers who might be available. Where does that take us? If we run out of science teachers, do we start winding back science? If we run out of English teachers, do we start winding back English? It is the role of government to provide the scholarships, financial incentives and training to have maths teachers at the front of the class, instead of the Orwellian approach of "We're running out of teachers so you can't have maths in years 11 and 12."

Compulsory maths is important for all the reasons I have outlined. At the same time, it should be acknowledged that the former Government was not without sin. Its curriculum review, conducted by Geoff Masters, was something of a farce. It was regarded even by the NSW Education Standards Authority [NESA] as a high-level review with very little practicality in terms of implementation. Its flagship recommendations about untimed syllabuses and the like went nowhere because they were not practical. This Government has come to power without the guidance of an effective curriculum review. It has the work of NESA underway—some of it good, some of it not. People only need to listen to this debate to know why New South Wales has the fastest falling school academic results in the world—not just in Australia but the world. There has been a downgrading of excellence, an acceptance of mediocrity and an admission of defeat in recruiting more maths teachers. Surely we could have done better than this. A society without maths and the power of logic, rationality and sequencing is, I am afraid, a much weakened society. This is what the Government is doing, all without an election mandate.

**The Hon. ROD ROBERTS (15:06):** I make a brief contribution to say that I do not support the motion. Mathematics is extremely important, and nobody can deny that. However, the need to do maths in years 11 and 12 fails to grab me. I left school in year 10—I did not get to years 11 and 12 because of my family circumstances—yet I would like to think I have been quite successful in life without a year 11 and 12 mathematics background. As members know, I have owned numerous small businesses, many of which I still own. I do the business activity statement for them every quarter and the tax returns for the family trust. It is well known from my pecuniary interest forms that I own a number of properties. I have successfully negotiated interest loans and various things from banks. I have also leased cars and factories and warehouses for my business interests. I have attained that level from year 10. I left school in year 10 because there was no way I was going to be any good in years 11 and 12. You cannot put a square peg in a round hole, so why would we force an individual to do something that they do not want to do and that they are clearly not good at? It will only lead to poor outcomes.

By the time students get to year 10 they have a general idea of what vocation they wish to follow. If a year 10 student knows they want to do engineering, aeronautical engineering or physics, they know they need to do years 11 and 12 mathematics, otherwise they will not meet the criteria to get into university courses. Those who choose to do another vocation where mathematics to that level is not a requirement should not be forced to do so. I agree with mathematics to year 10. It absolutely has to be compulsory. The curriculum needs to teach practical mathematics, including the advantages and disadvantages of credit, the advantages of compound interest and insurance policies. Things like that, which impact the everyday lives of all citizens, are very important in the mathematics curriculum. But the need to do it in years 11 and 12, if students do not want to and they are not good at it, simply fails the test.

**The Hon. RACHEL MERTON (15:09):** I support the motion moved by my colleague the Hon. Sarah Mitchell calling on the Government to support the introduction of compulsory mathematics. Some important issues should be considered in the context of this debate. The first is the alarming rate of high school students who are leaving mathematics in their final years. One in five high school students is walking away from mathematics. We see that play out in classrooms when students are gearing themselves up for their ATAR issued by the Universities Admissions Centre and choosing what they will do. The importance of maths, what it represents in learning and its value in the curriculum is not being recognised.

Looking at the changing job market in terms of technology, data analysis and innovation, maths and critical thinking are skills that our children need. Mathematics clearly needs to be part of the curriculum from kindergarten to year 12. I understand there may be other views as to what should be in the curriculum. I understand that we have seen climate change protests, walkouts and distractions. It is time for us to take a stand on exactly what we are teaching. It is time to get the abacus and the Casio scientific calculator back in the classroom and to make a genuine commitment to the teaching of mathematics. We have only to look at the job market today to see the trade skills shortage, the jobs we cannot fill and the skills we do not have, yet we are walking away from maths in the curriculum.

We should look at what New Zealand is doing to bring education back to basics with mandatory teaching hours for reading, writing and maths. Early intervention has been spoken of today. If that needs to be considered further in the mathematics space, we should do that. Mathematics is critical in the curriculum for equipping students with the life skills necessary to navigate the world, to contribute and to have the skills needed to meet the job challenge. I commend the motion to the House.

**The Hon. JACQUI MUNRO (15:11):** I was not going to speak on this motion but felt compelled to after hearing the contributions. I personally did not do year 11 and 12 mathematics, but I did economics as my practical maths.

**The Hon. Daniel Mookhey:** We can tell.

**The Hon. JACQUI MUNRO:** I hope you can't. But the reality is that today's pedagogy has changed from even when I went to school. That is a good thing because we have seen the development of teaching techniques that make learning more engaging and more relevant for students. That being said, we should expect mathematics teachers to progress their mechanisms and methods for teaching to be still more relevant to engage students effectively. As the Hon. Mark Latham said, how can we possibly expect to have a future generation of effective maths teachers who will contribute to our new economy, which is so deeply embedded in science and technology and principles that require logic and calculation, when we do not have compulsory mathematics in years 11 and 12?

By the time students have made the decision to go on to years 11 and 12, there is a commitment to learning and progressing their knowledge. With appropriate teaching methods, we can enhance the skills of our younger generations instead of condemn them to restricted skills, particularly in the global environment that has already been referred to. The Programme for International Student Assessment, or PISA, results show that, unfortunately, Australia is going down the ladder. We need to ensure that young people have opportunities and the access to education that will equip us to be global competitors.

**The Hon. SARAH MITCHELL (15:13):** In reply: I thank all members for their contributions to the debate. It was good to hear everybody's perspectives. On private members' day you never know which motion will tickle people's fancy and make them want to speak. The Hon. Mark Latham is right when he talks about the importance of maths for critical thinking skills. I agreed with most of what he said—but not all of it—about the former Government. The point is that critical thinking skills such as problem-solving, logical reasoning and analytical thinking learned through maths are important. That is why the compulsory maths policy was so important.

Other members spoke about the need to make sure that there is support earlier on in schooling. That is already there; it was part of the maths strategy of the former Government. We need to make sure that students are developing those key skills. In fact, the curriculum review that was underway under our Government and is continuing under the new Government, albeit for a longer period, was about embedding better linkages between the years 7 to 10 maths syllabuses and years 11 and 12 as well. We will be watching closely to see how that rolls out.

I do not want to reflect in a negative way on any member in the Chamber, but I am disappointed that the Treasurer did not make a contribution. I feel that he may have been rolled in caucus on this one, because I think he probably backs maths in as well! But, in all seriousness, there is a rationale around whether we should make students study what they do not enjoy. While I do not disagree with that, we have English. Some students may not like English. They may not enjoy it, but we make it compulsory because we recognise that literacy is a fundamental skill. My argument is that the same should stand for numeracy and maths.

This is an important debate. It would have been great if parents were able to have it before the election, knowing that the Government's policy was to walk away from this. Perhaps it could have happened over the course of the last year or so, or however long the Minister and Government have been considering walking away from this. An email from a bureaucrat at the NSW Education Standards Authority does not randomly pop up in the inboxes of principals around the State without some direction from the Government. They knew that this would

happen. They did not come out and tell anyone that this was their policy intention. They have not explained it to the people of New South Wales. That is the real disservice. Parents have a right to know why governments make decisions about things that will impact their children. Unfortunately, from members opposite there is a lack of transparency and accountability across a range of portfolios, including Education. This is a missed opportunity. I thank members for their considered contributions to the debate. It was good one. I might bring a few more in the future so we can talk about education policy.

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

**The House divided.**

Ayes .....14  
Noes .....23  
Majority.....9

#### AYES

Carter  
Fang (teller)  
Farlow  
Farraway  
Latham

MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mitchell

Munro  
Rath (teller)  
Taylor  
Tudehope

#### NOES

Banasiak  
Borsak  
Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly

Faehrmann  
Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine (teller)  
Mookhey

Moriarty  
Murphy (teller)  
Primrose  
Roberts  
Ruddick  
Sharpe  
Suvaal

#### PAIRS

Ward

Lawrence

**Motion negatived.**

### PSYCHEDELIC-ASSISTED THERAPY

**The Hon. JEREMY BUCKINGHAM (15:25):** I move:

- (1) That this House notes that:
  - (a) Australia became the first jurisdiction in the world to allow psychedelic-assisted therapy following a decision of the Therapeutic Goods Administration [TGA] last year;
  - (b) patients suffering from treatment-resistant depression are showing excellent results when treated with psilocybin as part of psychotherapy;
  - (c) patients suffering from post-traumatic stress disorder are showing similar excellent progress when treated with MDMA as part of psychotherapy; and
  - (d) New South Wales has some of the most restrictive conditions in Australia for these treatments and, in particular, there is a requirement that treatments must only take place in a licensed, private mental health class facility.
- (2) That this House further notes that:
  - (a) psychedelic-assisted therapy can be safely delivered in an outpatient setting, as demonstrated in multiple clinical trials;
  - (b) inpatient admission unnecessarily increases the cost of an already expensive treatment, which limits access by all but the wealthy;
  - (c) hospital mental health settings have limited and finite resources;
  - (d) psychedelic dosing works best when situated in a purpose-designed, calm, quiet and non-clinical-feeling setting; and

- (e) New South Wales requires that a dosing session has to occur at a mental health class private health facility rather than an outpatient day clinic, and that this is not a requirement in Victoria, Queensland, Western Australia or the Australian Capital Territory.
- (3) That this House calls on the Government to amend the relevant regulations to put New South Wales in line with Victoria and allow psychedelic-assisted therapy to take place in an outpatient day clinic with a seven-day notification period.

I stand here to provide a voice to some of the most desperate and vulnerable people in New South Wales: people who are suffering from treatment-resistant depression, surely one of the most challenging mental health issues for sufferers, their families and their carers. Despite significant advances in the treatment of depression, there is still a cohort who do not respond to the existing range of psychiatric treatments. As a result, their lives are often hard beyond description and, too often, they take their own lives. After years of despair, there is finally hope for those people, as well as for those who are suffering from treatment-resistant post-traumatic stress disorder.

Following a world-first and, I would say, world-class decision last year by the Therapeutic Goods Administration, psychiatrists are now able to use psychedelic-assisted therapy on a restricted basis. In January this year, the first two patients received treatment with psychedelic-assisted therapy in Melbourne. It was the first time in more than 50 years that patients received this treatment in a legal, regulated setting, with scheduled psychedelic medicines. The fact that the treatments took place in Melbourne is significant. The New South Wales health department—unlike counterparts in Victoria, Queensland, Western Australia or the Australian Capital Territory—insists that dosing sessions have to occur at a mental-health-class private facility, rather than at an outpatient day clinic. Such a facility is essentially a mental health hospital with overnight beds and an operating theatre.

Why does the New South Wales Government require that extra hurdle? The TGA's rescheduling process requires a psychiatrist to become an authorised prescriber. To become an authorised prescriber, the psychiatrist must be approved by both a human research ethics committee and the TGA. Under that review, the psychiatrist's expertise and training, as well as the protocols to be used and the clinical environment where the dosing is to occur, must be judged to be acceptable. Even the Royal Australian and New Zealand College of Psychiatrists is not proposing this additional hurdle in its published clinical memorandum.

The result of the ruling is that New South Wales patients who can afford it will travel interstate for treatment, making the treatment prohibitively expensive for all but the most wealthy. The alternative for others will be to access treatment from underground, unregulated providers. More worryingly, this onerous and unnecessary condition works against the treatment. Context is crucial for psychedelic-assisted therapy. For the treatment to be effective, it is crucial that the patient feels safe and in an environment where they feel able to fully open up. Even if a private health facility could offer such a setting, the patient must still arrive, eat and sleep in an institutional setting, and therefore a foreign and potentially threatening environment.

This conservative approach is misplaced, unnecessary and against best patient interests. We already have extensive evidence of the efficacy and safety of these medicines. In the modern era, more than 50 clinical trials have been completed with psilocybin, including two large multi-site phase 2b trials. There have been 30 clinical trials using MDMA, including two highly successful, large, multi-site phase 3 trials. There is more evidence to support the use of these medicines than for virtually any other unregistered medicine. Our approach in New South Wales pretends to be about safety and the protection of patients, but the reality is the exact reverse. There must be a balance between guarding against adverse outcomes on the one hand and providing relief to people whose life has become unbearable on the other. We have that balance wrong and it is causing untold needless suffering and loss of life. I call on the Government to adopt the guidelines already in place in Victoria and other States. We need to immediately amend the relevant regulations to allow psychedelic assisted therapy to take place in outpatient day clinics within a seven-day notification period.

**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) (15:30):** I indicate that, by and large, the Government supports the motion moved by the Hon. Jeremy Buckingham, but I propose an amendment. I move:

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

- (3) That this House calls on the Government to explore the refinement of the relevant regulations based on yearly reviews of how effectively the regulation is being implemented.

Fundamentally, the facts as outlined in paragraphs (1) and (2) of the motion are correct. The member has rightly identified the incredible potential of psilocybin and MDMA, particularly for treatment-resistant depression and post-traumatic stress disorder. The member has rightly identified the opportunity we have in Australia—because of the leadership of the Therapeutic Goods Administration and the responsibility of the States—to ensure that those treatments are available for people for whom most other traditional forms of treatment have failed. We agree with the facts outlined in paragraphs (1) and (2).

I move the amendment to paragraph (3) because I can assure the member that the provision of the regulation as it currently stands on psilocybin and MDMA for these purposes and also, I should let him know, the Private Health Facilities Regulation is up for review and will be going out for public consultation soon. That is the appropriate way for us to consider whether or not we are getting that balance right. I accept many of his points. At the moment, I feel that it is too difficult for people who want to access these emerging therapies to use the system we have set up. To be honest, I think that is borne out by the fact that we have seen very limited engagement in New South Wales. If we were getting the balance right and the current provisions were working, more people who desperately need treatment would be able to access it. Unfortunately, as has been shown so far, that is not the case.

However, when we are making changes to access to these emerging therapies, we have to proceed somewhat cautiously. Hope is important, but we base our clinical decisions on more than hope. We base them on evidence and thorough consideration of the benefits and the potential adverse consequences. The Government intends to do that. I accept that there is incredible potential, but we need to proceed somewhat cautiously. The trials outlined by the member are a positive first step, but the reality is that those numbers—whilst they sound impressive—pale in comparison to the numbers of the clinical trials for other treatments being used on humans. There is more work to do.

I pay credit to the former Minister. Despite perhaps this matter not being politic for her, she was a trailblazer in this space. She introduced me to Andrew Robb from Mind Medicine Australia, who has also lent his voice to this important cause despite being on the conservative side of politics. I hope that the Hon. Jeremy Buckingham supports my amendment. I accept much of what he is saying, but I want to proceed with a slightly more cautious approach.

**The Hon. BRONNIE TAYLOR (15:33):** I thank the Hon. Jeremy Buckingham for moving the motion. I understand that the motion means a great deal to him for mental health treatment, which he has spoken eloquently about in the past. I thank him for sharing his stories here, making us more aware and encouraging us to constantly check and challenge ourselves in this important area. I have had quite a bit to do with this subject. As the previous mental health Minister and the longest-serving mental health Minister in New South Wales, it came up at different times. I also thank the current Minister for always engaging with me on this as well.

I agree with the Minister that evidence and trials are important. We have incredible results in Australia in many areas of health care. For example, when we look at the trials, research and demonstration of the evidence on breast cancer, we can see that we have incredible results. That is important. However, for the great majority of people seeking treatment, conventional treatments are successful. Psychiatrists are very cautious about this treatment in New South Wales, and I took a lot of advice from them as the former Minister. I give a shout-out to Dr Murray Wright, who I have an enormous amount of respect for and I know the current Minister does as well. He has served the State extremely well.

We absolutely should explore alternatives if some people are not helped by traditional forms of treatment. Sometimes when new treatments come forward, we can have an immediate reaction like we have seen from members during debate on the motion. When the motion was moved, members thought, "What's this? It's tripping." Personally, I find it challenging sometimes. Having a science background and being a registered nurse, I think it is important and I supported the initial trial run by the Government.

The Minister said in debate today—and I absolutely believe her—that we have not seen the pick-up that we would like to. That tells us that something is not quite right. I support the amendment on this occasion and I support the motion. I also thank the individuals who have come forward on this matter. The current Minister has an exciting time ahead with the support that she will get from her party for matters like this, which will be important. It is important to be brave, to have the courage to look at different things, and to go back to the research and evidence because that is what takes us forward. Significant evidence supports this treatment. If it helps one person or if it helps hundreds of people, then it is worth exploring.

**Ms CATE FAEHRMANN (15:36):** I support the motion moved by the Hon. Jeremy Buckingham and thank him for bringing this matter to this place. I speak as the spokesperson for The Greens on harm reduction and drug law reform. My colleague Dr Amanda Cohn will speak from a mental health perspective. I put on record the history of debate on psychedelics and psychedelic therapy in this place. I went to the launch of Mind Medicine Australia in February 2020 in Melbourne, where the wonderful Professor David Nutt delivered a speech to a packed room. I remember the incredible science. David Nutt is a psychiatrist and psychopharmacologist from London who spent more than five decades studying the impact of various drugs on the brain. He leads a team of scientists from the University of Bristol and Imperial College London. He is incredible in his field. He showed us scans of the brain and its wiring and connection after taking psychedelics. Incredibly, psychedelics switch off the parts of the brain that cause depression.

The need for studies is important. Studies have happened and are happening; the science is irrefutable. I have spoken with people who suffered from clinical depression for over 15 years or more who had psychedelic treatment who say they became a new person after the treatment process with trained psychiatrists. The research also shows that depression can go away for something like eight years. It is incredible. The depression experienced by a few patients in the study did not come back for over eight years. It is wonderful that in Australia the Therapeutic Goods Administration ruled last year on MDMA and psychedelics, but I prefer the original motion moved by the member.

We have such a huge crisis. So many people are experiencing post-traumatic stress disorder, mental health issues and depression. Experts and leaders in their field are saying that this treatment is absolutely revolutionary. With this mental health epidemic, I do not think we can continue to wait years—and that is what it will take—before we have more psychiatrists and more trained professionals able to use this absolutely groundbreaking medicine. I support the original motion, but The Greens will not vote against the amendment, seeing the mood in the Chamber.

**Dr AMANDA COHN (15:39):** As outlined by my colleague, The Greens support the motion. I thank both the mover of the motion, the Hon. Jeremy Buckingham, and my colleague Cate Faehrmann, who championed this issue in the previous term of Parliament. Psychedelic-assisted therapy is an emerging and promising treatment for post-traumatic stress disorder [PTSD] and treatment-resistant depression. There is remarkable potential here to unlock profound recovery for patients for whom conventional pharmaceutical and psychological treatments have never made a difference.

Last year the Therapeutic Goods Administration [TGA] permitted the use of MDMA and psilocybin as schedule 8 medicines in the Poisons Standard under an authorised prescriber scheme. It is limited to specialist psychiatrists registered with the Australian Health Practitioner Regulation Agency and with fellowship of the Royal Australian and New Zealand College of Psychiatrists, and with an approval from a human research ethics committee registered with the National Health and Medical Research Council. The TGA is not a radically progressive organisation. I have rattled off these requirements to make the point that existing regulation is substantial and cautious, and that there is no need for New South Wales to have additional requirements that are more restrictive than other jurisdictions, like we do now.

There is absolutely potential harm in this kind of treatment, but it must be considered in proportion and in the context of the kinds of medication currently prescribed for psychiatric conditions in Australia. For example, highly dangerous and addictive benzodiazepines can be prescribed by any medical practitioner, and many anti-psychotic medications have significant side effects that can impact physical and mental health. There is no such limitation or proposed limitation that those treatments only be provided in hospital. We need to be honest that the particular medications that are the subject of the motion are only being approached with such caution and so conservatively because of their history as recreational drugs, and this is not proportionate to the genuine risk.

Alcohol is the most commonly consumed drug in Australia. Alcohol is a group 1 carcinogen, and its overuse has extreme social and health consequences, including exacerbating the symptoms and severity of disorders such as PTSD. The World Health Organization published a statement in *The Lancet Public Health* that when it comes to alcohol, there is no level of consumption safe for our health. Not only is alcohol readily accessible in communities but it is even sold and consumed at Parliament House.

Within the very tight existing regulation from the TGA, as well as New South Wales restrictions for type A drugs of addiction under the Poisons and Therapeutic Goods Act, it is entirely reasonable to extend these treatments to outpatient settings, as other States already have. The small number of patients in need of these emerging treatments should be able to access them in their own community as an outpatient, where their treating psychiatrist is supportive. An extraordinary amount of work is needed to improve mental health care in New South Wales. Relatively speaking, improving access to psychedelic-assisted therapy is a small but significant change that could meaningfully improve the lives of people who have been left with no other options.

**The Hon. EMILY SUVAAL (15:42):** I support the amendment moved by the Government. I also join with other members in thanking the Hon. Jeremy Buckingham for bringing this motion to the House and drawing the attention of members in this place to this really significant and important issue. Obviously, the New South Wales Government supports the safe use of psilocybin and MDMA for treatment-resistant depression and post-traumatic stress disorder. I thank the mover of the motion, the Hon. Jeremy Buckingham, for all the work that he has done in this space. His fight certainly does not go unnoticed and it is one that I am a strong ally in.

Someone very close to me has treatment-resistant bipolar mood disorder. One of the options—actually, no, the only option for this person is monthly electroconvulsive therapy, which is commonly known as ECT. Many people do not know that ECT is still routinely done. It is one of the few and one of the most effective strategies for treatment-resistant depression. That being said, ECT has been around for a long time. It has improved in many

ways since the days of Rozelle and holding people down with something shoved in between their teeth. It is not without its side effects and certainly not without its costs. It is a general anaesthetic each time; it is an admission as a day patient; and many other things. I say this person receives it monthly, but, in fact, when they have a relapse, it is three times a week and they are then gradually weaned off, every time—every admission, three times a week, then five days a week.

ECT has impacts on short-term memory and many other factors of life, so emerging treatments in this space are needed. They are commendable. They will not be effective and in place for this person who is very dear to me. But I place on record that I think the future is bright—certainly with Ministers like my colleague the Hon. Rose Jackson in this place, who has a proven track record in this space of being really open and generous and committed to improving mental health and mental health treatments in this State.

There is unmet need for treatment, as we know, in New South Wales, particularly in rural and regional New South Wales. There is also a lack of other wraparound services that are so needed for people with treatment-resistant depression. We have heard all about that in the upper House inquiry. I acknowledge the work of my colleague Dr Amanda Cohn, who has worked with me on that inquiry. I again commend the honourable member for bringing the motion to this place. I support the motion as amended and commend the contribution of other members to this debate.

**The Hon. JEREMY BUCKINGHAM (15:45):** In reply: I start by thanking Minister Jackson, former Minister the Hon. Bronnie Taylor, Ms Cate Faehrmann, Dr Amanda Cohn and the Hon. Emily Suvaal for their advocacy and their thoughtful and intelligent contributions to debate on a difficult but very important subject. From the outset, I am quite happy to accept—in good faith—the amendment moved by the Government. I will not oppose it. I understand that this is an area where we have hastened slowly. We have been very cautious for many decades, but the change has been brought about. The Therapeutic Goods Administration, which is an incredibly conservative organisation—and for good reason—with the levels of oversight that are in place, as has been described, has made that change. Now is the time to make sure that this therapy is available to some of the most desperate and vulnerable people in this State.

The Minister did say that there has been very limited engagement. I would say that if the therapy is not available at all and the barrier is too high, that is no engagement. That means that something is broken. I understand that a yearly review is part of the Government's amendment. That should guide us. I think we should be dealing with that in terms of regulatory response and reform in a period of months rather than years, because my understanding is that some of the people who will not be able to avail themselves of this therapy for the reasons that I have put out may not be around. That is the situation. We have an epidemic of suicide in this country. As a country, we are turning our attention to it. We are removing the stigma against talking about mental health, but we have to make sure that when people come forward, they can get the therapies they need.

There has been incredible research done. I acknowledge the advocacy of Mind Medicine, Peter Hunt and David Nutt. I also acknowledge the former trade Minister at the Commonwealth level, Andrew Robb, who I have talked to about this issue at length and who is pushing for the reform in this space. That said, I am happy to accept the Government's amendment in good faith. I hope that we can have a review that leads to regulatory reform in a period of months, rather than years, and we can make sure that the people of New South Wales can avail themselves of this medicine sooner rather than later.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Jeremy Buckingham has moved a motion, to which the Hon. Rose Jackson has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

#### *Documents*

### **RACECOURSE HOUSING DEVELOPMENT**

#### **Production of Documents: Order**

**The Hon. SCOTT FARLOW (15:49):** I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 25 March 2023, in the possession, custody or control of the Premier, the Treasurer, the Minister for Planning and Public Spaces, the Minister for Transport, the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources, the Minister for Better Regulation and Fair Trading, Minister for Industry and Trade, Minister for Innovation, Science and Technology, Minister for Building and Minister for Corrections, the Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research and Minister for the Central Coast, the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast, the Premier's Department, the Cabinet Office, Treasury, the Department of Planning, Housing and Infrastructure, Transport for NSW, Sydney Metro, the Department of Enterprise, Investment and Trade or Investment NSW relating to racecourse housing development proposals:

- (a) all documents relating to proposals to develop Rosehill racecourse for housing;
- (b) all documents relating to proposals to develop any other racecourse for housing;
- (c) all documents relating to any assessment undertaken of the suitability or potential for developing any racecourse for housing;
- (d) all documents relating to the impact of any proposal to develop Rosehill racecourse for housing on planning for Metro West; 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.

Ministers of the New South Wales Labor Government do not even bother to make themselves aware of matters within their own portfolios at locations they turn up to press conferences for. The transport Minister and planning Minister did not read the memorandum of understanding [MOU] between the New South Wales Government and the Australian Turf Club [ATC] regarding the Rosehill racecourse transaction. That was before, of course, appearing at a press conference in December 2023 to announce that the Government would be entering into that memorandum of understanding with the Australian Turf Club. The two main commitments of the Minns Government's Rosehill thought bubble are metro stations and homes, and the respective Ministers did not do their homework. This call for papers under Standing Order 52 will hopefully uncover what the Ministers and the departments knew, and now know, about the unsolicited proposal and what information was sought prior to the announcement.

At the time, the Premier lauded the "once-in-a-generation opportunity" to maximise housing and add new stations along the Metro West route. There was great fanfare about the proposal by the ATC for housing, endorsed by the Premier, before it even went through the proper unsolicited proposals process. Why did the Government endorse the proposal with no detail? The Minns Labor Government is just chasing headlines and not putting in the hard work. It is pursuing a media management strategy, not a plan to deliver better transport for our State and more housing to meet New South Wales' Housing Accord targets. During estimates I asked the Department of Planning, Housing and Infrastructure when it first became aware of the Rosehill proposal. The secretary, Kiersten Fishburn, told the committee:

I think not much before the announcement ... I would say not much before there was a public statement made about it.

Ms Fishburn confirmed that she was "not formally requested for information about what that site might hold", and stated that the 25,000 number is "at best ... a guesstimate." The Premier of New South Wales is going around making commitments for metro stations and additional housing based on a "guesstimate". The Government has made commitments for 25,000 new homes without informed advice from the planning department. That should not surprise anyone; he signed up to a National Housing Accord target with no advice from the planning department either. The people of New South Wales expect their Premier, planning Minister and transport Minister to do the policy homework before making announcements. That is not happening under the current Government.

Instead of Minns' Rosehill thought bubble, proper ideas to create additional housing must go through the appropriate master planning process to ensure that there is necessary infrastructure provision for schools, hospitals and local roads, which the community would expect. It would have made far more sense for the Government to commission a place strategy for Rosehill, like the department has prepared for the Camellia precinct. There are also other long-proposed ideas to redevelop other racetracks into housing, including at Warwick Farm, Horsley Park and Canterbury. The planning department has been meeting with the ATC for years regarding Canterbury and the planning secretary has said that they have been in conversations with the ATC about its current sites.

Papers returned under this Standing Order 52 motion will highlight the status of those discussions and if the Government is taking any haphazard approach—putting the cart before the horse—on other potential sites. Redeveloping racecourses into housing, especially when tens of thousands of dwellings are proposed, is a significant prospect. The proper master planning principles must be followed to ensure that we build functional communities well connected to infrastructure. At the moment the Premier seems to be just taking the word of the ATC, without consulting the department of planning or running the MOU by his transport and planning Ministers. He has been a cheerleader for the proposal, which flies in the face of the unsolicited proposal process.



The Department of Planning, Housing and Infrastructure sought no independent probity advice on the thought bubble, which is problematic when the Government, via the Premier, is making a commitment and promising to build a metro station that will cost billions of dollars—in contrast to the racing Minister, who did seek probity advice and stayed away from the press conference for such reasons. The Premier has admitted that the thought bubble will not proceed if ATC members do not agree to the sale of the racecourse. In a note to club members, the ATC advised that two member forums in late February would be deferred until a later date. The Premier is outsourcing his policy development to the ATC and decision-making to ATC members but is holding press conferences to celebrate the proposal.

We heard in budget estimates that the department had been doing other work that it needed to seek the advice and help of Government members on. I think that the quote was "I need some help here". Other considerations have, of course, been made that we hope this call for papers will get to the bottom of. The question remains: Will the metro station at Rosehill happen with or without this proposal and what contingencies are being put in place? At budget estimates the Treasurer said—if the unsolicited proposal for housing does not proceed—"It's a bit premature to get into that." Considering that two metro stations have turned into one and probably turned into none and that the Government has extended the delivery of the project from 2030 to 2032, lots of questions need to be answered. This motion will hopefully get to the bottom of that.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:55):** I will move an amendment, which I understand will be agreed to. I move:

That the question be amended by omitting "21 days" and inserting instead "28 days".

I warn the House that we will move a few such amendments today, as Easter will be an issue in terms of returning some of the documents.

**The Hon. Wes Fang:** How about the Brumbies one? Forty-two days.

**The Hon. PENNY SHARPE:** How many calls is the Hon. Wes Fang on?

**The Hon. Wes Fang:** None.

**The Hon. PENNY SHARPE:** That's a miracle.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** That can change very quickly, so members will come to order.

**The Hon. PENNY SHARPE:** The Government is not going to oppose this Standing Order 52 motion. I thank the shadow Minister for agreeing to the amendment. I listened carefully to his contribution. He has a lot of questions, which is fine. The point that I make is that Rosehill presents an important opportunity for city-shaping improvement to Sydney. There are not very many sites of that size without many of the land contamination issues present at other sites, for example, at Camellia. This opportunity is still going through the process with the Australian Turf Club [ATC], as is appropriate. As the Premier has said, it may not come off, but I was a bit disappointed to see the kind of negative approach taken by the Opposition in relation to it. This is a big idea that, if pulled off, will provide an incredible amount of housing in an exciting new development in the centre of Sydney that will be connected to public transport.

We do not get many of those opportunities very often. As we are looking and scouring all over the city for where we can put additional housing, we cannot continue to expand Sydney one suburban street at a time at its urban fringes. Proposals like this are worth debating, discussing and understanding. They have to go through an incredible amount of rigorous process. We are just at step one: a proposal, which the ATC and its members have to decide upon. It is an exciting opportunity. We hope it comes to fruition. There is a lot of water yet to go under the bridge in terms of planning and all the issues that the Opposition has asked about, but they will be addressed properly with full probity. Do not look a gift horse in the mouth.

**The Hon. MARK LATHAM (15:57):** The call for papers should be supported to examine the slaphappy, foolish way in which the Minns Government has handled this proposal. The Premier has shown incredible naivety to accept this unsolicited proposal from the Australian Turf Club [ATC]. Harry Triguboff would not get an unsolicited proposal for building the equivalent of Hong Kong in any part of Sydney. We are talking about a housing density at Rosehill that is the equivalent of 100 sixty-storey towers. It is a huge change. It is not city shaping; it is a massive density revolution uncalled for and unwanted by the local community. To have an unsolicited proposal without detail and without any amount of scoping or analysis by the membership of the ATC has been a massive mistake.

It is similar to the Voice referendum, where people would not support signing off on a blank cheque. The members of the ATC do not want to sign the blank cheque at Rosehill. The Premier should have said to the ATC,

"Do you want to be a land developer? Do you want a housing density equivalent to Hong Kong at Rosehill? You go away, develop your proposal and get your approval first from your membership. Your second step is to get your rezoning. The third is to lodge your development application." To put this forward as an unsolicited proposal, a blank cheque, has been a foolhardy measure, not just by the ATC but also by the Premier.

It also goes against the Government's logic on privatisation. The Government says that signing a toll contract is privatisation. I will tell the Government what is much more privatisation—promoting the sale of a community held asset at Rosehill for land and housing development in the private sector. What the Premier and the Government have been promoting is privatisation. It is a massive community-held and community-owned asset at Rosehill for the purposes of horseracing, the benefits of open space that come with it, and other community use that will now go to private housing and land development. This is privatisation, which also is contrary to the Government's election promises. The Government must do much more work.

I can advance an amendment in relation to the scope of the call for papers. It looks at the housing proposal at Rosehill. Much more than that, we should be looking at whether or not it is possible to have the relocation of Rosehill as a horse training facility to Horsley Park at the Sydney International Equestrian Centre. Experts in the racing industry have had a good look at it and say it is way too small to have any kind of training facility. There may be encroachment on the Western Sydney Parklands to try to get something of adequate size, but again the lack of detail is manifest. The lack of detail is bringing this down in the eyes of industry leaders like Gai Waterhouse and Chris Waller, who are badly affected by it, and the ATC membership. I believe my amendment will be accepted. I move:

That the question be amended as follows:

- (1) Insert "Office of Sport, Sydney International Equestrian Centre," after "the Department of Enterprise, Investment and Trade".
- (2) In paragraph (a) insert at the end "or to relocate the Rosehill facilities to other parts of New South Wales".

**The Hon. DAMIEN TUDEHOPE (16:01):** I also support the motion. It has become abundantly clear why this motion should be supported, although not so much because of wanting to deliver more housing but because of the process adopted by the Government to get there. I say to the Leader of the Government in no uncertain terms that there is no objection from the Opposition in relation to the commitment to deliver more housing opportunity. However, Opposition members have issues relating to the processes adopted by the Government to get to that end, whether that involves ignoring community groups or alternatively ignoring the membership of the Australian Turf Club [ATC]. That is the focus of the Opposition on what has occurred.

When we attend budget estimates and the Minister for Gaming and Racing is asked whether he has any idea in relation to this proposal, and he says he does not want to discuss it, it becomes abundantly clear that he was never consulted on this process. In those circumstances, we must ask ourselves what on earth was going on. When the Premier's own diary shows his initial meeting with the ATC about this proposal was "a meet and greet" and they walk out the door with a \$7 billion unsolicited proposal on the line, we must say to ourselves, "What processes are being engaged in here for seeking to achieve this end?" But more than that, when we get the Government, including the Treasurer, the local member and the planning Minister all out on track and cheering on this proposal, it cuts across all the principles of unsolicited proposals, whereas it should be considered impartially.

That is the focus of the Opposition in seeking these documents. We are not using this as a vehicle to transgress the principles of seeking more housing. But, as the Hon. Mark Latham has properly outlined, it never went through any process by which members were consulted in advance. So how on earth did the directors or the chair of the ATC, together with his government relations adviser, make this proposal without first talking to the members? Would we not have thought they ought to have authority to put this as a proposal? This proposal was the wrong way about and contravened all the principles relating to unsolicited proposals. This Standing Order 52 motion hopefully will uncover exactly what went on.

**The Hon. EMILY SUVAAL (16:04):** I support the motion and acknowledge that it obviously will be passed today. I make a few comments around issues at large around this matter. I note that the Government has begun conversations with the Australian Turf Club about this exciting proposal—and it is an exciting proposal—to transform the Rosehill racecourse into 25,000 new homes serviced by a new metro station. I add to this conversation today concerns around housing more generally and the unmet need in that sector. I acknowledge that members discussed that issue yesterday. I wish to speak about not only the housing shortage but also cost-of-living pressures.

The number one priority for the Government at the moment is helping people in New South Wales with cost-of-living pressures. It is the single biggest issue for people right now. At the centre of the cost-of-living issues facing people is housing, or the lack thereof. People are sleeping in their cars. One in five people who are homeless has a job. It is unacceptable for us as a responsible government to not be doing everything we possibly can to

ensure that we can get as many people as possible into affordable homes. In just a short time in government, we have unveiled some really transformative housing reforms that will increase supply and make housing more affordable for those who need it most.

We know that some of our key workers in this State cannot afford to live close to their place of work. There is either no housing available or the available housing is ridiculously expensive. In some instances, they cannot afford to commute from Western Sydney to the Prince of Wales Hospital or the Sydney Children's Hospital at Randwick and pay a litany of tolls on the way through. They just cannot afford to do that. We need to provide solutions in this space. The Government is providing solutions. This is just one in a suite of reforms that the Government is proposing. We have begun the conversations. We have announced rezoning that also will unlock housing supply. We must do as much as possible. The cost-of-living issues in New South Wales are just too bad to ignore.

**Ms CATE FAEHRMANN (16:07):** As The Greens transport, cities and infrastructure spokesperson I express our support for the Opposition's motion before the House. The Greens will support Standing Order 52 motions that are about government transparency, and particularly around decisions that really smell a little bit fishy. This decision is extraordinary in several ways. Members have mentioned queries in budget estimates about who had seen or knew what about this arrangement. I find it extraordinary for the Minister for Transport to have not seen the memorandum of understanding and for the Premier to have come out on 6 December and pretty much say that this is a done deal, it is definitely going to happen and it is an unsolicited proposal. In the Premier's words, he said:

The government sees this as an opportunity to put its money where its mouth is and build more housing, close to transport links, with plenty of green space for new families.

This is exactly the type of proposal my government has been talking about over the last six months.

Members may recall it was released at the same time as the Metro West was in doubt. Then there was this big announcement as though it was the solution that had been thought about. One would have thought there would have been a bit of detail and thinking behind it—and decision-making with integrity and transparency. Clearly, that is not what happened. I think it is clear that even members of the Government are pretty concerned about how these decisions were made.

Yes, The Greens support this motion. We look forward to the documents coming back. It is extraordinary that over the past few days the whole thing has been thrown completely in the air because it has not been thought through. Why was it an unsolicited proposal? I am interested to see where this proposal came from and why it came at that time. To be honest, I think all members are interested in that. We support the motion.

**The Hon. SCOTT FARLOW (16:10):** In reply: I thank the Hon. Penny Sharpe, the Hon. Mark Latham, the Hon. Damien Tudehope, the Hon. Emily Suvaal and Ms Cate Faehrmann for their contributions to the debate. As the mover of the motion, I accept the Government's amendment to extend the deadline to 28 days as we understand the Easter period is coming up. I also accept the amendment of the Hon. Mark Latham with the extension of the scope relating to the Office of Sport and the relocation of racing facilities.

As all members have said, this is something that interests everybody. Members on this side of the House do not have quibbles about developing more homes in New South Wales. We need more homes, but they need to be done appropriately. They need to be done in consultation. We cannot put the cart before the horse, which is what the Government seems to have done with this unsolicited proposal and it has been a cheerleader. We want to see these documents. I thank the House for its support.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Scott Farlow has moved a motion, to which the Hon. Penny Sharpe and the Hon. Mark Latham have moved amendments. The question is that the amendment of the Hon. Penny Sharpe be agreed to.

**Amendment of the Hon. Penny Sharpe agreed to.**

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The question now is that the amendment of the Hon. Mark Latham be agreed to.

**Amendment of the Hon. Mark Latham agreed to.**

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

**Motion as amended agreed to.**

*Motions***SOCIAL HOUSING ENERGY EFFICIENCY**

**The Hon. CAMERON MURPHY (16:12):** On behalf of the Hon. Bob Nanva: I move:

That this House notes that:

- (a) 24,000 social housing properties in New South Wales are eligible for energy efficiency upgrades including heat pump hot water systems, ceiling fans, reverse-cycle air conditioners, solar systems, insulation and draught proofing;
- (b) it is vital to the energy transition that social housing tenants and New South Wales residents on low incomes have access to renewable energy and energy efficiency; and
- (c) this investment will put downward pressure on power bills and support social housing tenants with the cost of living.

We have over 155,000 social housing dwellings in New South Wales—about 35 per cent of Australia's total social housing properties. It is the largest share of any jurisdiction within Australia, yet these are some of the worst performing homes in New South Wales. Many of these properties were built before the introduction of minimum construction standards and they lack basic insulation and modern energy efficient appliances and systems. We need to act to support the vulnerable tenants living in these homes.

Recently I found out that while new homes have an average energy rating of 6.1 stars, existing homes have an average rating of only 1.7 stars out of 10. This means they use three times the energy for heating and cooling as highly rated homes. This leaves tenants to suffer the extremes of weather, struggling to stay hot in winter and cool in summer. Not only that, they are left with no choice but to use higher than average amounts of energy to stay comfortable, meaning higher energy bills. What is more, social housing tenants often face significant barriers to changing this. They often cannot cover the up-front costs of upgrades or have difficulty gaining approval from the owners to install technology. This is not good enough.

We must act, and we are acting. The New South Wales Government has announced \$175 million jointly with the Australian Government on the Social Housing Energy Performance Initiative, or SHEPI. This will fund upgrades and improvements to over 24,000 homes. The initiative will upgrade the older homes with insulation, draft proofing, heat-pump hot water, reverse-cycle air conditioning and solar systems. We will prioritise upgrades in climate zones where extreme heat and cold are experienced and target social housing in a combination of remote, regional and metropolitan areas. Our Government will start work this year, with the program continuing until June 2027. The upgrades will help people living in social housing save on energy bills and make their homes more comfortable in summer and winter.

According to a recent report released by the Australian Council of Social Service [ACOSS], home retrofits provide not one, not two but five benefits to governments, people and the community. First, they provide a low-cost way to reach Australia's emission reduction targets. Second, they create homes that are affordable to run, healthy, safe and climate resilient. Third, they help reduce the cost-of-living pressures. Fourth, they create jobs. Finally, they improve energy security and reliability—all of this just from retrofitting our existing housing stock. The case for our investment is clear. In March this year the CEO of ACOSS, Dr Cassandra Goldie, said:

People experiencing financial and social disadvantage are the most severely, and most persistently affected by higher temperatures, but lack the choice or control to stay safe.

Heatwaves are by far the greatest cause of extreme weather-related deaths. Climate change is exacerbating the intensity and duration of hot conditions – but many homes are not built to withstand them.

We are already seeing the increase in severe heatwaves and we know that this will only be exacerbated by climate change. We need to get our houses ready to handle this. Recently this Parliament enacted the Climate Change (Net Zero Future) Act 2023. I am proud of the legacy this Act will leave and what it does. It commits the New South Wales Government to achieve net zero emissions by 2050, with guiding principles to ensure it is equitable and all those impacted are considered. [*Time expired.*]

**The Hon. JACQUI MUNRO (16:17):** The Opposition will not oppose this motion. I congratulate the Government on continuing a policy set under the Coalition's net zero strategy. I also congratulate the Government on being able to secure funding from the Federal Government, which it has not been able to do with regard to the GST. It is good to see governments working together to achieve something for the people of New South Wales. I note that it is a matched fund, so the New South Wales Government is investing \$87.5 million with the Federal Government investing the rest.

I note that the Coalition has been committed to providing cheap and reliable energy to the people of New South Wales since 2016, when it first implemented the net zero emissions target—an incredibly important step forward. The Hon. Cameron Murphy referred earlier to legislating those targets. I also note that the Coalition was involved in ensuring that target was strengthened to a 70 per cent reduction by 2035. The design of an

emissions reduction system is generated to reduce the cost of energy. That reduction should be passed on to households and to businesses. It is about developing an environment in this State where we have an enormous competitive advantage globally and within the country to provide reliable and cheap energy. Harnessing that as much as possible for the benefit of all citizens is something the Coalition supports.

I note that part of this program includes the solar banks program and rooftop solar. I hope to see from the Government a commitment to ensuring that advanced manufacturing in New South Wales makes products like these even cheaper so that all citizens can benefit, whether they are in social housing or investing in these technologies as private citizens. We need to ensure that this kind of technology is not just developed in New South Wales in an academic sense but also commercialised here so that it can be more available. The former Government committed to that through its modern manufacturing strategy and Modern Manufacturing Commissioner, two things this Government cut and decided are no longer important for the future of New South Wales. Although I am supportive of this policy, which enhances people's lives, it relates specifically to the Coalition's net zero strategy, so we are seeing the same things from this Government. *[Time expired.]*

**The Hon. MARK LATHAM (16:20):** I welcome any debate about public housing in New South Wales. I just wish it was with a bit more passion and commitment than reading out the speech of an absent member. Be that as it may, I move:

That the question be amended by inserting after paragraph (c):

- (d) the highest priority in expenditure on social housing in New South Wales should be the urgent completion of the Claymore and Airds redevelopment projects which have left residents living in a construction zone for over 15 years.

Everyone wants energy efficiency and improved living standards for people in public housing. The easiest way to do that is to cut the rents. Regarding the expenditure proposed in the motion about solar panels, the public housing tenants in Airds and Claymore are welfare recipients who have been living in a hell zone for over 15 years. The redevelopment projects were cancelled twice by the former Coalition Government. The latest advice from the current Government is that it will take another five years to finish the redevelopments so that people can get out of the construction zone and live in a normal suburb. Airds and Claymore are only a third of the way through. There are 2,000 dwellings scheduled to be redeveloped at Airds, with about 600 completed. At Claymore 1,500 dwellings are to be redeveloped, with only 400 completed.

This is not the fault of the current Government. The villains here are the O'Farrell and Baird Coalition governments, which disgracefully cancelled these projects twice. If there is spare money for energy efficiency and solar panels in the current budget, I urge the Government to reallocate it to the people at Airds and Claymore, who have been suffering for way too long. For over 15 years they have lived in substandard housing in a construction zone. It has to be visited to see how bad it has been. There is debate in the media at the moment about what a ghetto is in Sydney. The substandard housing at Claymore and Airds needed to be knocked down. Everyone agreed on that. Disgracefully, O'Farrell and Baird, those North Shore toffs, cancelled the projects twice for people living in south-west Sydney in the very worst of circumstances.

I put on the agenda the need to put any available money for social housing towards by far the biggest priority: to at long last give people in Airds and Claymore, after 15 years of living in a hell zone, a chance to have a normal suburb. The amendment points out that this higher priority for expenditure is worthwhile. The Government can still do all its energy efficiency. If Government members think they can save the planet through social housing in New South Wales then good luck to them, but the people living in practical circumstances in Airds and Claymore need a better deal. They need an urgent allocation of money to get these redevelopments finished within a couple of years, not another five years of waiting in the very worst of circumstances. If that were happening to anyone in this Parliament, they would be screaming blue murder.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:23):** I thank the Hon Mark Latham for that impassioned plea for the people of Claymore and Airds. He will not get any disagreement from members on this side of the House about what has happened there, and my colleague will have some words to say about that. The Government will not support the amendment. The Government thinks that Claymore and Airds should be fixed. I should declare an interest here. My mother-in-law was the department of housing special placements officer in Airds for many years, so I am very familiar with the estate, the problems it has had and the fact it has not been fixed. The Hon. Mark Latham is right to raise the Claymore and Airds redevelopments, but the Government will not support the amendment because it is not what this motion is about. The investment referred to in the motion is part of a joint program with the Commonwealth Government. The Government is not prepared to lose \$87 million worth of funding from the Feds, which is effectively what that amendment would do.

This really important program is not only helping to save the planet but also lowering bills for people living in one-star efficiency homes while making their houses cooler in the summer and warmer in the winter. These

energy efficiency measures will give them a better quality of life and help them save up to \$600 a year on their bills. The Government speaks a lot about the challenges of the energy transition that the State is going through to address climate change. A lot of people are locked out of some of the benefits because they cannot afford solar panels, they are renting, they are in apartments or they are in one-star efficiency housing, trying to live off a radiator heater in winter or, if they are lucky, a fan in parts of the city that are 10 degrees hotter in summer than anywhere else. This is a really important program. I am pleased that the Hon Cameron Murphy drew it to the Government's attention.

Twenty-four thousand social housing properties is not a small number; it is a big opportunity for us to upgrade a lot of houses that, frankly, would not get any of these sorts of upgrades if this program were not in place. The program is a really important partnership with the Commonwealth. I acknowledge the work of the Commonwealth, in particular, my colleague Senator Jenny McAllister, the assistant Minister responsible for the program. A personal passion of hers is getting money out of Treasury for these kinds of things. It is never easy, but she has been able to do it. The New South Wales Government has partnered with the Commonwealth where previously there was not a dollar for this kind of work and now there is. I appreciate the passion that the Hon Mark Latham has for the Claymore and Airds estates. He is knocking on an open door, but the Government will not support the amendment. I commend the motion to the House.

**Ms ABIGAIL BOYD (16:26):** I speak as The Greens spokesperson for Treasury and energy to not oppose the motion. I acknowledge that the Labor Government is taking steps to support people living in social housing with energy efficiency upgrades, but we are living in a cost-of-living crisis and people are being plunged deeper into energy poverty than ever before—most notably the most vulnerable in our community, who are struggling to figure out exactly how they are going to pay their next energy bill. The Government needs to take far bolder steps to lift people out of energy poverty once and for all.

It is coming up to one year of this Labor Government in New South Wales. While it has taken moderate steps to pull the State out from underneath the conservative, climate-denying agenda of the Coalition, it is a far cry from the urgent action that the people of New South Wales need to improve energy affordability and eradicate energy poverty. While it is welcome that the New South Wales Labor Government is moving to provide energy efficiency upgrades to 24,000 social housing properties, it will barely touch the sides of the problem. With a social housing stock of over 150,000 properties, this will provide energy bill relief to only one in five social housing tenants. It is incomprehensible to me that this Government would pick winners and losers when it comes to social housing. By its very nature, tenants in social housing can expect to benefit from any economic relief that the Government can provide.

It is mildly offensive that the Government is seeking to make a virtue of this new policy announcement, which is essentially just keeping up with the well-overdue maintenance and replacement of old, leaky and inefficient accommodation and appliances, not to mention the horrific price gouging of the big energy companies, which are still raking in billions in profits as energy bills continue to impact the most vulnerable people. Households are being ripped off day after day by these predatory energy companies and the Government is throwing its hands in the air and acting like there is nothing it can do about it. As New South Wales begins to phase out fossil fuels and transition to a renewable future, we must ensure that no-one is left behind. This can be done by nationalising the State's energy grid and establishing a publicly owned energy retailer that puts the power back into the hands of the people of New South Wales to ensure that the social and economic benefits of decarbonisation are felt across each corner of the community. That will deliver real energy bill relief and climate action at the same time.

If we continue to move at a glacial pace while simultaneously approving new coal and gas mines left and right, we will continue to see people suffer. It will, undoubtedly, as always, be the most marginalised and vulnerable people in our community who suffer the most. While we will not oppose the Government's motion to pat itself on the back for taking these small steps, we will push it to take far bolder steps to equitably fast-track our transition to renewables and to eradicate energy poverty.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (16:29):** I support the motion for all of the reasons that have been outlined by the mover, my colleague the Hon. Cameron Murphy, and the Minister for Energy. As the Minister said, it is excellent that these programs are delivering environmental benefits and taking us along the path to our net zero future. A key reason for doing this is that it is also incredibly important for social housing tenants to live in properties that do not deliver them exorbitant bills. The reality is that a lot of the previous work to encourage people to install solar panels, insulation or double glazing was done primarily through government subsidies to benefit people who were already homeowners. Social housing tenants have often missed out. It is necessary for government to step in and deliver those benefits to them.

In response to some of the issues Ms Abigail Boyd raised, not all of the 150,000 properties that we have require energy upgrades. In fact, all the new stock that we are bringing online already meets those new standards. Yes, we have a backlog of ageing stock, and bringing that online is not an insignificant contribution to the size of the backlog we have. It is not true to say that all 150,000 of our properties require these upgrades; many do not. Many are modern properties that have been built to modern standards. A big chunk of the ageing stock will be brought up to modern amenity standards.

In response to the issues the Hon. Mark Latham raised, I could not agree with him more that these are priority programs. I assure him that they are fully funded. They do not need this money to get going. What they need is will from government; that is what they have. This is an additional program that I and Minister Sharpe, with the Commonwealth, have brought online for a particular and important purpose. If those programs required money to make them happen, we would find the money. But they are fully funded by us and just need the will to make them happen.

I have indicated to the department that it is a priority to get them moving. Sure, it is going to take a bit of time because it is a big piece of work. Of the 13 stages, only three were done when we came to government. I agree that took far too many years. We are trying to get stages four to 13 moving as quickly as we can, but they are big and rolling redevelopments. I assure the honourable member that we are doing everything we can to get that moving. Those will be great communities with diverse mixed tenure and new community facilities for the future. It is fully funded, and we are extremely enthusiastic to get that moving. I assure the member that is the case.

In addition to all the work that we are doing in those communities, this program will deliver not only benefits to the environment but also, critically, lower energy bills for vulnerable people who live in social housing and will get them better outcomes for their heating and cooling. Those are some incredibly important benefits. I am pleased to be part of a government that is delivering these benefits as well as a substantial amount of new stock across many suburbs, including Airds, Claymore and other places. All of those homes are new homes built to modern standards.

**The Hon. SCOTT FARLOW (16:32):** I pick up from the comments of my colleague the Hon. Jacqui Munro in saying that this is the continuation of Coalition policy in many ways to upgrade our public housing estate in New South Wales. One of our climate change goals in government was to make sure we saw this throughout New South Wales, including in the public housing estate. As the Minister rightly pointed out, it is about more than just climate goals. It is about cost of living. It is about making sure that homes in our State are at their best amenity, including their heating and cooling provisions. Being able to have affordable heating and cooling for those in the most need in New South Wales is very important.

With respect to the Hon. Mark Latham's amendment about the prioritisation of the Airds Bradbury and Claymore estates, I respectfully say that they are important redevelopments. The Minister is right in saying they are big redevelopments. We have a large social housing estate in New South Wales; it is the largest in the country. We cannot put all of our social housing dollars into one area. There is need all across the State, from the Tweed down to the bottom of New South Wales. We need to ensure that while we have priorities—and there was funding in 2021 and 2022 to accelerate those developments and redevelopments, which brought them on five years sooner—we also need to ensure that social housing is looked after. That investment needs to be all across the State. It needs to be in our ageing infrastructure and in making homes better for people living in social housing so that they have a more comfortable existence and their costs are reduced.

**The Hon. Dr SARAH KAINE (16:34):** I speak in support of the original motion and will address a couple of issues that have been raised by previous speakers. First is the contribution of the Hon. Jacqui Munro. I acknowledge and appreciate her articulation of a commitment to broader targets, which are important for moving things forward on climate action. However, broad target and macro-level ideas, concepts and movement are not the same as relief on the ground for the people who most need it. I draw attention to that difference and also suggest to the Hon. Scott Farlow that, if this was a continuation of the previous Government's policy, then we would have already seen the work carried out on older properties to bring them into line with appropriate standards and make them energy efficient.

As to the Hon. Mark Latham's contribution about a lack of passion, I can guarantee the honourable member that is not the case. Many of us on this side of the House are extremely cognisant of the importance of every dollar that we can save people in the areas that he has described and in many other areas, particularly in western and south-western Sydney. I also point to the continued efforts of both Ministers, and particularly the Minister for Housing, to bring to the fore, to discuss and to consider any policies that address cost-of-living issues for those who rely on us for the provision of the basic need of housing. I commend the motion to the House.

**The Hon. CAMERON MURPHY (16:37):** On behalf of the Hon. Bob Nanva: In reply: I thank all members who have contributed to the debate: the Hon. Jacqui Munro, the Hon. Mark Latham, Minister Sharpe, Ms Abigail Boyd, Minister Jackson, the Hon. Scott Farlow and the Hon. Dr Sarah Kaine. I thank them for all of their contributions on this important issue. It is great to see that there appears to be uniform support across the Chamber for what is not just an important climate measure but a more important economic measure. It will result in savings of around \$600 per household for some of the poorest, most vulnerable people in our community who deserve better. They deserve to have energy efficient homes, so they can save on their heating and cooling and get the same types of advantages that other people in the community have in energy savings.

With the greatest respect to the Hon. Scott Farlow, this is not a continuation of the work of the previous Government. This is a new program with new funding that will provide for it. If I remember correctly, the way the former Government funded the upgrades to social housing during its tenure was to sell off homes to use the money to pay for upgrades to others. There was not a program in place that reflects the type of work that is going on to simply invest the money and upgrade the homes.

I particularly thank the Ministers for their important work in pulling this together and ensuring that the upgrades are a priority of our Government. The now Opposition, when they were in Government, had 12 years to set about fixing up the social housing stock of this State—and not a lot happened. The reason we have homes at the moment that have holes in the walls, that are infested by pests, that have leaky taps and appliances that do not work is because they let it run into ruin. This Government takes the housing issue seriously. We are investing. We are bringing maintenance service back in-house, because that is a priority. I thank members across the Chamber for their support of this most important motion. I commend it to the House.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Cameron Murphy has moved a motion, to which the Hon. Mark Latham has moved an amendment. The question is that the amendment be agreed to.

**Amendment negatived.**

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

**Motion agreed to.**

#### COMMONWEALTH GRANTS COMMISSION

**The Hon. CHRIS RATH (16:41):** I move:

That this House condemns the Commonwealth Grants Commission for punishing the people of New South Wales by cutting their share of GST revenue.

What we heard yesterday from the Commonwealth Grants Commission was an absolute disgrace. We heard that New South Wales would be ripped off by \$1.65 billion. I already hated horizontal fiscal equalisation; now I hate it even more. New South Wales' share of GST revenue has gone down from 29 per cent to 27.1 per cent, despite having 31 per cent of the population. It was already grossly unfair, but now it is a complete and absolute disgrace. We are constantly propping up the mendicant States that are wasting their resources and have not engaged in tax reform or any serious economic reform. It was bad enough and now it is even worse.

I completely agree with the Treasurer's comments that New South Wales should not be punished for its fiscal firepower. I thought his comments yesterday were very good. They were very similar to the comments made by previous Treasurers and Premiers, like Dominic Perrottet, when he was steering the economy, talking about the black magic GST formula. No-one really knows how it works except the Commonwealth Grants Commission.

**The Hon. Mark Latham:** ScoMo introduced it.

**The Hon. CHRIS RATH:** Yes, ScoMo did introduce an ability for Western Australia to claw back some of its GST revenue. My main problem is not so much with Western Australia getting back a little bit more of its GST money; it is more with States like Tasmania and South Australia, the Northern Territory—mendicant States begging for money from the Federal purse. Our financial situation has been made even worse by what Scott Morrison did in terms of Western Australia. It is very unfortunate that now it is virtually impossible to return to surplus next year, as the Treasurer said. But it would have been good if the Treasurer did pick up the phone to his Federal Labor colleagues. It would have been good if he picked up the phone to the Federal Treasurer and the Federal finance Minister and lobbied, like Dominic Perrottet did all those years ago, the Federal Labor Government for a fair share of funding for New South Wales.

Maybe it is that WA Labor has precedence over NSW Labor. Western Australia has reaped an extra \$6.2 billion out of this deal. Furthermore, debt-laden Victoria's distribution of the GST pool has increased by \$4.8 billion. I do feel sorry for the Treasurer because it also follows the Federal Government cutting 17 Commonwealth-funded infrastructure projects in New South Wales. The financial situation is quite bad. It is



not just the Federal infrastructure funding that is being cut, it is not just that we are losing GST revenue, but when we bake in billions and billions of dollars in new expenditure in terms of the wages cap and rule out all asset recycling for the future, essentially we do not have any money to play with.

They are the sets of financial or fiscal conditions that the Treasurer has to deal with, and I just think that this would not have happened under Dominic Perrottet. It would not have happened in the same way. He would have been on the phone to the Federal Government demanding a fair share of New South Wales funding. The Treasurer could have done better in terms of trying. He could have put in a bit more effort. This is the single largest reduction in the State's share of GST revenue since the system began in 2000. As I said, if we combine all of those different factors, from the loss of GST revenue to Federal Government funding being cut on infrastructure projects, adding more in terms of expenditure in getting rid of the wages cap and then ruling out asset recycling, I cannot see how we will ever return to surplus in the future unless it involves deep budget cuts to really important projects or we bring back the wages cap—there is always that option. What we heard from the Commonwealth Grants Commission is a complete and utter disgrace, and maybe the Treasurer should pick up the phone to his Labor mates in Canberra.

**Ms ABIGAIL BOYD (16:46):** I speak to this motion as The Greens NSW Treasury spokesperson. Although it is worded in a very simplistic way, the issue that this motion addresses is a complex one and one in need of far greater attention. The GST amount distributed to New South Wales by the Commonwealth is critical to our State's bottom line, but it is just one thorny issue amongst State-Federal funding arrangements that are no longer fit for purpose. The Treasurer will pick on me for saying this, but it is true that there were a few things—I am not saying there were a lot—championed by former Premier Perrottet that are worth remembering. Chief among those is his call for the funding arrangements to be refreshed to ensure sustainable funding arrangements for New South Wales because, if we do not clean up those arrangements, we will end up running into ourselves when we try to progress policy issues that do not match our funding needs.

Take, for example, our reliance on so-called sin taxes. Our reliance on gambling taxes cannot help but get in the way of the need to address gambling harm in our State. So, too, our reliance on fossil fuel royalties, which will eventually run out when we take the action necessary to address climate change—so we should be milking them at higher rates now while we can. There is our antiquated stamp duty system, which is in dire need of reform. And The Greens have been at pains to say since Perrottet introduced his flawed "property tax you're having when you're not actually having a property tax" reforms last parliamentary term, that we continue to be in favour of a staged and equitable transition to a broad-based land tax system in place of stamp duty.

In the middle of a housing crisis, we are stuck between reforms needed to help fix our broken housing system and reforms needed to ensure the State continues to have sufficient revenue in the longer term. We have a relatively arbitrary set of fiscal pressures on the budget of the New South Wales Government and we are stuck working within its parameters, without real control over most of the revenue inputs, but with mounting costs at a State level that the Federal Government is simply not interested in funding. This obviously needs to be addressed. We cannot continue to work on the basis of general fiscal distribution models that were designed in another century and are actively hindering progress on providing better quality of life and wellbeing for people across the country. We do not support the motion because it is painting the wrong entity as the villain in the story. A small independent agency setting the rates of GST distribution among the States and Territories is not to blame for decades of inaction on State-Federal funding arrangement reforms.

**The Hon. MARK LATHAM (16:48):** I saw the Hon. Chris Rath at the Opera House last Wednesday at *A Midsummer Night's Dream*, and today in this motion he has surpassed, in his jester-like performance, Puck himself. It is pure comedy to put forward a motion that totally fails to recognise the truth of the matter. The villain here is Scott Morrison. The reason why New South Wales was ripped off so badly in the GST allocation is the deal that Morrison made as Treasurer in 2018. The villain here is the Liberal Party, yet the Liberal Party has the hide in this comical debate and in this Puck-like performance to put forward a motion—essentially, if we delve into it—to condemn itself.

In 2018 Morrison said, "What we need to do for Western Australia is put a floor under the per capita return on GST." GST is a fixed amount of money; if one State benefits, another loses. That is exactly what happened as a consequence of the deal made in 2018, and it gets worse year by year. Morrison put a floor in the system whereby Western Australia is guaranteed a 70 per cent per capita return on the money that is raised out of GST in that State. On 1 July it goes to 75 per cent, while New South Wales suffers further. And later on, in the out years, it goes to an 80 per cent and then a 90 per cent GST floor.

We are edging towards a system whereby Western Australia—by far the wealthiest State in the Commonwealth because of the investment that mining royalties bring in the west—is heading towards a 100 per cent return on all the money that it contributes to GST. Do not worry about horizontal fiscal equalisation;

this is a horizontal fiscal rip-off for New South Wales. The Liberal Party should acknowledge that and apologise to the people of New South Wales for the floor deal—all of it political.

In 2018 Morrison and Turnbull—I'm sure—were worried about losing seats in Western Australia so they made a deal that had nothing to do with fairness or equity. It was all about politics and seats in Western Australia. Some people have described it as the worst public policy decision this century; in terms of fairness and fiscal allocations, it probably is. It is time for the mover of the motion to forget about Puck, get serious and apologise for what Morrison did in 2018, which is the source of distress for New South Wales. As Puck ends it in *A Midsummer Night's Dream*:

If we shadows have offended,  
Think but this, and all is mended.

The great offender here is Scott Morrison and the Liberal Party. To mend it, the Labor and Liberal parties should get together to find a way to give New South Wales a bit of equity. The rip-off is manifest. It is a disgrace. I urge the Government—because Labor at this stage is worse; it is in government and is perpetuating the Morrison deal in Canberra—to find a way to civil disobedience. I urge the Government not to cooperate with some of the Federal programs and to put it right. This is a historic rip-off that must end.

**The Hon. JEREMY BUCKINGHAM (16:51):** I oppose the motion moved by the Hon. Chris Rath. My contribution to the debate builds on my contribution to today's debate taking note of answers to questions, which I know many members tuned into, which was to interrogate the key developments affecting GST distribution as described by the Commonwealth Grants Commission. Why did the commission make the decision that it did? The principal reason it did what it did, in terms of New South Wales and our poor GST distribution outcome, is because it said that we had a capacity to increase mining royalties. That is what it said.

**The Hon. Mark Latham:** It is bound by the Morrison deal.

**The Hon. JEREMY BUCKINGHAM:** It might be bound by the Morrison deal, but the fundamental point remains that we have waved goodbye, for more than 20 years, to the coal out of Newcastle and the coal out of the Illawarra and we have waved goodbye to a generational opportunity for the State to benefit from our coalmining royalties. Coal will be gone in 20 to 30 years and we will have missed the opportunity to benefit from those royalties. The Treasurer has gone some way towards rectifying that, but Coalition members should be condemned. For more than a decade they sat on their hands while trillions of tonnes of coal were exported to Japan, Korea, China and Vietnam and we did not benefit. The Treasurer has now put the royalty rate up to 10.2 per cent.

**The Hon. Daniel Mookhey:** A 31 per cent increase.

**The Hon. JEREMY BUCKINGHAM:** That is exactly right. That goes some way, but we can do more. The coal price is still very healthy. Over the past three or four years, Queensland saw skyrocketing coal prices as an opportunity to introduce a super-profits tax. What happened? Tens of billions of dollars of extra revenue went into Queensland. The Commonwealth Grants Commission has said that New South Wales has the capacity to increase coal royalties. The question before us is this: Do we have the will to go back to that well again? Some people would say, "You'll put off the coalminers. Yancoal, BHP and Whitehaven will pack up and go home if we raise coal royalties." That is not the case. There are 20 big coalmining modifications and expansions on the books in New South Wales, and that is because the business case for coal in New South Wales is still good. Coalmining companies are still profitable. We should be upping coal royalties and making sure, as the Commonwealth Grants Commission says, that we extract some value for the people of New South Wales.

**The Hon. DAMIEN TUDEHOPE (16:55):** It is astonishing that the Treasurer has not wanted to jump on this issue. I acknowledge the contribution made by the Hon. Mark Latham. He forgets to understand and appreciate what a proper Treasurer actually does when faced with a circumstance where New South Wales could be impacted. A proper Treasurer would insert a no-worse-off provision in the agreement with New South Wales. They would say, "This has an impact on us. If in fact they do this, we want to make sure that we get our fair share", and then negotiate a no-worse-off provision. The Treasurer never said anything about that because he did not want to acknowledge that that is what good Treasurers do.

In the budget last September the Treasurer identified GST and Australian Government payments as a risk to the New South Wales budget. In fact, he repeated those risks in the half-yearly review, again identifying the potential risks to the budget arising out of potential decisions by the Commonwealth Grants Commission in relation to GST receipts. We have known about this problem since September last year and we have done nothing to make sure that we are not impacted by it or to prepare for the outcome that this has in fact delivered.

I say to the Treasurer that, as the mover of the motion quite rightly identified, there is an opportunity to pick up the phone and say, "If this is going to occur, we need some sort of approach to funding from the

Commonwealth which identifies a no-worse-off position for New South Wales." The Treasurer owes an obligation to the people of this State. To have done nothing to anticipate this decision and for the people of New South Wales to have been deprived of this level of funding is a scandal. More importantly, the Treasurer now has to tell us: What is he going to cut? What taxes is he going to raise? What programs are going to be cut? What infrastructure is going to be cut? He did nothing to secure Commonwealth funding for infrastructure, which has been ripped out of New South Wales. The Commonwealth is treating New South Wales like a plaything because it knows that people like this Treasurer will do nothing to stand up for the people of the State.

**The Hon. DANIEL MOOKHEY (Treasurer) (16:58):** The Government supports the motion. This is an opportunity for all members to join as part of Team New South Wales to get a fair share for our people. When it comes to the decision of the Commonwealth Grants Commission, my views are shared by former Treasurer Perrottet. On 5 April 2018, the last time the New South Wales GST share was cut, he stated:

This outcome reinforces the fact that the current GST model is broken. Yet again, we are seeing the hardworking taxpayers of NSW being ripped off by a perverse and unfair distribution model.

Instead of unelected, faceless bureaucrats in the Commonwealth Grants Commission making decisions that affect the lives of our citizens, the states and their elected representatives should have more significant input.

The fact that NSW is set to lose almost half a billion dollars only reinforces the view that a root-and-branch overhaul of the GST distribution process, and the Commonwealth Grants Commission itself, is desperately needed.

He was right then; it remains the correct position today. We should continue the tradition of this House of us providing bipartisanship, regardless of who is in government, to ensure that we get a fair share. When Treasurer Perrottet put that statement out more than six years ago, he had the enthusiastic support of the New South Wales Labor Opposition at that time. I welcome the fact that, despite their best efforts, we are now apparently getting the enthusiastic support of those opposite.

I take with good humour the Hon. Chris Rath's suggestion that I should get on the phone with Jim Chalmers. I look forward to having that conversation. But I have one back for him as well. This morning I was surprised to hear the Federal shadow Treasurer say, "I'm a Liberal. That is what I believe in. So if WA does terrifically well by getting resources and selling them off, then WA should be rewarded for that." That is the position that Angus Taylor, the Federal shadow Treasurer, put out this morning. I look forward to the State shadow Treasurer picking up the phone to the Federal shadow Treasurer, saying, "Get back onto Team New South Wales."

**The Hon. Damien Tudehope:** I'm happy to.

**The Hon. DANIEL MOOKHEY:** I look forward to him, as good Treasurers do, getting on the phone and blasting his Federal counterpart for getting it wrong, because all the Federal shadow Treasurer has done is double down on Scott Morrison's error. The truth is this: A vote for Angus Taylor is a vote to take more money from New South Wales and give it to Western Australia. Unless those opposite pick up the phone to him and say that he is wrong, it shows he has the support of shadow Treasurer the Hon. Damien Tudehope. Let us get back onto Team New South Wales. Let us get the share that we deserve. Let us continue the bipartisan spirit. Let us denounce these Federal actors, whether they are from the Opposition or from the Government, and let us get back to a system that treats all of our citizens fairly.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (17:01):** I am not quite sure that I can follow that extraordinary contribution from the Treasurer. I think he made an excellent point, in the same way that he will be advocating strongly as he has publicly for the past two days. I look forward to the shadow Treasurer doing it with the same level of enthusiasm that the Treasurer just showed. At this juncture, it is important to note that when the news was released, the Treasurer and I did a press conference, and we made this point: There is no change in our overarching budget strategy. We will continue to be fiscally prudent.

We will continue to focus on cost-of-living relief for families and on rebuilding the public services for the people of New South Wales, as we were elected to do. We are absolutely focused on those tasks. The change in external factors that we do not have any control over does not change our overarching fiscal strategy. Indeed, that is why we pursued it in the first place. The shadow Treasurer got up and gave a bit of a spray at the Treasurer on this issue. I note that the shadow Treasurer did not ask the Treasurer a single question for the entirety of question time today.

**The Hon. Damien Tudehope:** Because this was on the agenda.

**The Hon. COURTNEY HOUSSOS:** He is continuing that run of 182 days. It is pretty extraordinary that the central charge seems to be that we were up-front about the risks to the budget and that we published in the budget papers about the risk that there could be a change in the Federal funding arrangements. It is a pretty remarkable and a pretty weak accusation to launch at the Treasurer. This is an important issue for the people of

New South Wales. It is absolutely appropriate that we are debating it this afternoon and that, as the Treasurer said, we stand together on Team New South Wales and advocate strongly.

As the Treasurer said, this was a remarkable and absurd decision by the Commonwealth Grants Commission. The Government is absolutely committed to standing up for the people of New South Wales and making sure that we do get our fair share. It is the biggest single change in relativity since 2018. This will have significant consequences for our budget—\$1.65 billion this year—and we are working through that. We will work through this carefully and methodically, as we have since we were elected, but it does not change our approach. Our approach will continue to be that that we were elected to do, and that is what we are focused on delivering for the people of New South Wales.

**The Hon. EMILY SUVAAL (17:06):** I join my colleagues to speak in support of the motion. In doing so, I am reminded of a valuable inquiry that was recently conducted by the Standing Committee on State Development, which I chaired. It looked into this creative thing called the Debt Retirement Fund. When Labor came to government, obviously, we expected things would be pretty bad. However, the full extent of just how bad the state of the finances was in New South Wales was way beyond the wildest of imaginations.

Essentially, we were using the State credit card to go gambling. It was just outrageous. We had a \$7 billion funding black hole. That was \$7 billion worth of important programs. We also had a \$250 million shortfall in out-of-home care, and 1,112 temporary nurses, who needed funding to the tune of half a billion dollars, and who, under the previous Government, would no longer have a job. We made them permanent. We are getting on with the job of making sure our State's finances are in a good, strong position, from now and into the future. I commend the Treasurer for his work—and, indeed, the Minister for Finance for her work in this space with the comprehensive expenditure review. Let us also not forget the projected debt that we were looking at when we came to government last year. The projected debt was in the order of—

**The Hon. Daniel Mookhey:** It was \$187 billion by 2025-26.

**The Hon. EMILY SUVAAL:** Yes, \$187 billion by 2025-26. This is obviously a difficult and challenging position, but the New South Wales Government has made it clear that a lot of external factors would have to go right for us to return to surplus. We are undertaking the difficult job of budget repair, and we are getting on with the job of restoring services in New South Wales where they are so needed. We are putting funding where it is needed and continuing to ensure that our children and grandchildren are not paying off the horrible decisions of the previous Government.

**The Hon. CHRIS RATH (17:07):** In reply: This was a debate where we all agreed with each other—angrily, I think. We all agreed that we did not like the decision by the Commonwealth Grants Commission, but we proceeded to do it in a very angry way. I appreciate the contributions from members to the debate. As the Treasurer said, we are all part of Team New South Wales on this issue, dating back to 2018 with the strident comments from then Treasurer Dominic Perrottet. If we compare it to *A Midsummer Night's Dream*, I think it has been a very bad dream—it started out very bad, but Puck made it all okay in the end. I hope that some new arrangements can be put in place to make this okay in the end as well. I think we are all on the same team: Team New South Wales. I commend the motion to the House.

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

**Motion agreed to.**

#### *Visitors*

### VISITORS

**The PRESIDENT:** I welcome to my gallery Georgia Bailey from Cessnock. Georgia is a guest of the Hon. Emily Suvaal and is attending the Commonwealth Women Parliamentarians Young Women in Leadership event in the Parliament tonight.

#### *Motions*

### ANIMAL SEXUAL ABUSE

**The Hon. EMMA HURST (17:09):** I move:

- (1) That this House notes that:
  - (a) undercover footage of the sexual abuse of a pig at Midland Bacon in Victoria has been exposed by Farm Transparency Project and the ABC;
  - (b) the footage shows piglets being bashed and a pig being penetrated, unable to escape from the sow stall she was imprisoned in;

- (c) this follows the high-profile case of Northern Territory man Adam Britton, who has pled guilty to multiple charges for sourcing dogs "free to good home" on Gumtree, taking them to his torture room and filming himself torturing them, sexually abusing them and killing them;
  - (d) also this year, a New South Wales couple were charged with engaging in bestiality, and distributing bestiality material, allegedly involving a horse;
  - (e) while the sexual abuse of animals is not a comfortable topic, it is far more common than any of us would like to believe, and it is not something that legislators can ignore;
  - (f) there are strong links between animal sexual abuse and the sexual abuse of children, and child sexual abuse material is often found alongside bestiality material, which will come as no surprise to members in this House given the known link between human and animal abuse;
  - (g) despite this, bestiality laws across Australia are highly inconsistent and many are not fit for purpose;
  - (h) in Victoria, for example, where the most recent sexual abuse at Midland Bacon was uncovered, their courts have no power to ban someone convicted for bestiality offences from working with or caring for animals, meaning someone found guilty of bestiality can have immediate access to further animal victims;
  - (i) many States and Territories, including Victoria, have outdated offences that only criminalise penetration, and in most States the penalties for such offences are far too low;
  - (j) New South Wales is the only State to have automatic, lifetime animal bans for people convicted of bestiality, and is also one of the only States in Australia to ban the production, possession and distribution of bestiality material;
  - (k) New South Wales is also the only State that recognises bestiality convictions from other States, meaning that if a person is convicted of bestiality or banned from having animals in New South Wales, and then moves across the border into Victoria or another State, they could gain access to animals again; and
  - (l) there are no Federal laws on bestiality to ensure consistency and coordination between States and Territories.
- (2) That this House condemns the sexual abuse of animals, and calls on all other States and Territories to adopt New South Wales laws banning those guilty of bestiality offences from having animals, and banning the production, distribution and dissemination of bestiality material.
  - (3) That this House calls on the Federal Government to fund a national police taskforce to work alongside child abuse taskforces to crack down on bestiality in Australia, and makes changes to the Criminal Code 1995 (Cth) to stop the dissemination of bestiality material across the country.

I warn members in the House that this motion relates to a highly distressing subject matter. While it is uncomfortable to talk about, parliamentarians cannot afford to ignore it. We need to address the sexual abuse of animals. It is a heinous crime often linked to child sexual assault and yet the law is lenient on offenders and the scope of the crime itself. We need urgent action around Australia and national reforms. On Monday night ABC's 7.30 exposed shocking footage from inside a piggery in Victoria. The footage shows the routine violence and cruelty that is standard practice in pig agribusiness, but it also captured an illegal act where a male worker sexually penetrated a female pig that was confined in a sow stall and unable to escape. The man has since been charged for bestiality. It is utterly horrific but unsurprising. Sexual violation of animals is rife in Australia and extra concern should be afforded to those animals kept in intensive agribusiness behind closed doors.

The statistics regarding people's likelihood to have sexual interactions with animals used in farming are devastatingly high. It is both a human and animal rights issue. The links between child sex abuse and bestiality are well known, noting that child sex abuse materials are often found alongside bestiality materials in criminal investigations. Yet at best Australian laws against bestiality are weak and inconsistent. Several jurisdictions currently provide unacceptably low penalties for animal sexual abuse offences despite the dangerous natures of the crimes. The strongest penalties are found in New South Wales and Tasmania, where the maximum penalty for committing an act of bestiality is 14 years imprisonment and 21 years imprisonment respectively. Elsewhere it is as low as five years.

The rate of recidivism amongst animal cruelty offenders is particularly high, yet New South Wales is the only State to have automatic lifetime animal bans for people convicted of bestiality. Anywhere else, offenders can immediately work with or become the primary carer for other animals. As it stands, the man who violated the pig in Victoria will not receive a ban on working with or caring for animals. He could be working at a new pig farm next week. That is because, shockingly, animal protection legislation in Victoria does not even have a provision that allows the court to apply an animal ban for bestiality convictions even though they can be made for other animal cruelty offences. The definition of bestiality also differs between jurisdictions and in some jurisdictions certain clear acts of sexual violation may not be covered by the offence. Perhaps most unbelievably of all, across most of Australia it is legal to produce, disseminate and possess bestiality material.

That omission came into sharp focus with a recent high-profile case, where Northern Territory man Adam Britton pled guilty to dozens of offences involving the torture, sexual abuse and killing of dogs and possession of child abuse material. Britton also produced and shared countless materials of himself performing those acts against animals in his self-named "torture room". The production, possession and distribution of bestiality material is not

illegal in the Northern Territory. Adam Britton will not face charges for sharing bestiality footage and the people who downloaded his footage for their own perverse gratification will likely go uncharged as well. A change to the Federal criminal code could fix that by outlawing the use of carriage services to share bestiality materials within or outside Australia. With such reform, the dissemination of such materials could be banned nationally. It is time for New South Wales to lead the way and support coordinated national action so that our laws show no tolerance for the sexual abuse of animals.

**The Hon. ROBERT BORSAK (17:13):** It is with great concern and utter disbelief that I address this motion moved by the member of the Animal Justice Party. We support calls for condemning sexual abuse of animals, but we also call on Animal Justice, The Greens and the rest of the looney left to condemn the abhorrent and morally bankrupt views put forward by the darling of the Animal Justice Party, Professor Peter Singer, regarding bestiality. In recent times Professor Singer has propagated the disturbing notion that it is acceptable for individuals to engage in sexual acts with animals under the guise of consent. That is not just morally repugnant; it is a reprehensible distortion of ethical principles and a grave affront to the dignity of both humans and animals alike.

In his article "Heavy Petting", Professor Singer attempted to rationalise and normalise the unspeakable act of bestiality by drawing parallels between human-animal relations and interspecies friendships. He argues that, as long as the animal involved is not harmed and gives its consent, such acts should be permissible. That is a ridiculous, deeply flawed and dangerous line of reasoning that ignores the inherent power dynamics at play and fails to recognise the fundamental differences between humans and animals. The very notion of animals giving consent to sexual activities is a fallacy. Animals lack the cognitive capacity to understand the implications of such actions and cannot provide meaningful consent. To suggest otherwise is not only intellectually dishonest but also a blatant disregard for the welfare of animals. Moreover, the normalisation of bestiality poses a grave threat to society, opening the door to a host of ethical and legal dilemmas.

Professor Singer's views on bestiality are not only morally indefensible but also deeply troubling in their implications. By advocating for the normalisation of such deviant behaviour, he undermines the very foundation of ethical discourse and erodes the principles of respect and compassion that should govern our interactions with all living beings. We support paragraph (2) of the motion condemning the sexual abuse of animals. We call on the Animal Justice Party to cut all links with Professor Singer and his outrageous views, as well as the banning and removal of all of his publications in print, digital and video media that support and promote bestiality, consensual or otherwise. The Shooters, Fishers and Farmers Party calls on the Animal Justice Party to unequivocally condemn Professor Singer's views on bestiality and stand firm in the defence of ethical principles regarding animal welfare. We must reject any attempt to rationalise or justify such abhorrent acts, especially from Professor Singer.

**The Hon. SUSAN CARTER (17:16):** I thank the Hon. Emma Hurst for bringing this important, albeit difficult, topic to the attention of the House. The Opposition supports the motion. Abuse in all its forms is abhorrent. The objectification of other living beings for one's own sexual gratification is the polar opposite of the respectful, consensual relationships we all wish to be the norm in our community. To state the obvious, animals are unable to express their consent. I am pleased that New South Wales is a leader in our Commonwealth, being the only State to ensure that, once convicted of bestiality, a person is never allowed to access animals again, and one of the few States to ban the production, possession and distribution of bestiality material.

That last ban is of particular importance. We live in a very visual age, where our children and young adults learn more about human relationships from the phone in their hand and the computer in their bedroom than from observing those around them. We must ensure that those euphemistic birds and bees, as well as what they represent, are always observed being treated with respect and engaging in equal and consensual relationships. The motion—and the research—recognises that animal porn, child abuse porn and other violent porn do not exist in silos and that exposure to one often creates an appetite for all. Satiating that appetite is not benign. The Longitudinal Study of Australian Children found that the more often young men consume pornography, the more likely they are to enact sexual behaviour that the other person does not want.

Consent matters. Respect matters. That is true for all sentient beings, which is why the existing New South Wales ban on the creation and distribution of animal porn matters and should be extended throughout every State and Territory in the Commonwealth. However, I am concerned that there is insufficient recognition of the real harm caused by that material for that to be achieved. We know from a survey conducted by the Australian Institute of Family Studies that 44 per cent of our children between the ages of nine to 16 have been exposed to sexual images.

We know that pornography is a major driver of gender-based violence. Yet recently our Federal Government effectively rejected a report of a standing committee of the House of Representatives, supported by a road map developed by the eSafety Commissioner and almost every stakeholder, all calling for age verification measures to be introduced to prevent minors accessing online porn and having their views about consensual

relationships shaped and warped as a result. All the other States and the Federal Government should act to meet the standards that New South Wales has set to protect animals from abuse. Forgive me for not being confident that the obviously necessary will actually happen.

**The Hon. MARK BANASIAK (17:19):** I support the motion but also wish to address that disturbing reality of the Animal Justice Party's support for Professor Peter Singer, a man who has espoused views around bestiality and in support of bestiality. Even as late as 2022 he was attending Young Animal Justice Party meetings, polluting and perverting the minds of our youth on such views. It is a stark and disturbing irony that an organisation purportedly dedicated to advocating for animal welfare would align itself with an individual who brazenly advocates for the despicable act of bestiality under the guise of so-called zoophilia. By throwing any support behind Professor Singer, the Animal Justice Party betrays the very values it claims to uphold. The notion that Professor Singer's views on bestiality can somehow coexist with the principles of animal welfare is not only absurd but deeply disturbing.

How a party that claims to advocate for the welfare of animals aligns itself with someone who advocates for their abuse is pure and simple hypocrisy. It is a betrayal of trust and of the values that the party espouses. I will not mince words: The Animal Justice Party's support for Professor Singer is a shameful betrayal of everything it claims to stand for. I call on Animal Justice Party members now to publicly disassociate themselves from the views of Professor Peter Singer. In conclusion, I support this motion, but I also urge all members of this House to join me and my colleague in condemning the views of Professor Peter Singer, who the Animal Justice Party seemingly supports. I once again call on the Animal Justice Party to publicly disassociate itself from this man and anyone that espouses the view that sexually abusing animals is somehow okay.

**The Hon. MARK BUTTIGIEG (17:21):** The New South Wales Government does not oppose the motion brought before the House today. Animal cruelty is an unacceptable practice that must be dealt with with the utmost seriousness. The sexual abuse and torture of animals is particularly disturbing. The New South Wales Government has zero tolerance for such actions. I note the strong laws that are in place to deter such actions. The Crimes Act 1900 prohibits and imposes heavy penalties for bestiality, attempted bestiality and the possession and distribution of bestiality material. New South Wales is also the only State to have mandatory disqualification orders with respect to the purchase, acquisition, possession or custody of an animal for offenders convicted of bestiality.

The New South Wales Government is committed to ensuring that our animal welfare measures are best practice. As such, the New South Wales Government is committed to modernising our animal welfare framework as the current system is outdated, is not fit for purpose, and does not meet community expectations. The Government has committed to reviewing the Prevention of Cruelty to Animals Act, which is the primary piece of animal welfare law in New South Wales. We recognise that there has been extensive consultation to date, so we will be considering that, as well as the outcomes of parliamentary inquiries to inform proposed improvements to the framework. We will also review the funding arrangements for our approved charitable organisations—the RSPCA NSW and Animal Welfare League NSW—which play an important role in upholding our laws.

The New South Wales Government will also create an independent office of animal welfare. It is clear that there are a broad range of community and stakeholder views about what an independent office should look like. We will work through those views to ensure the office is fit for purpose. The New South Wales Government is taking steps to ensure it implements a best-practice animal welfare framework in this State. We encourage governments around the country to follow New South Wales' lead in this. It is imperative that animal cruelty enforcement is best practice and that appropriate deterrent measures are in place. Accordingly, I congratulate the Hon. Emma Hurst on bringing this very important issue to the attention of the House. The Government supports the motion.

**The Hon. EMMA HURST (17:24):** In reply: I thank all members who contributed to debate on this motion: the Hon. Robert Borsak, the Hon. Susan Carter, the Hon. Mark Banasiak and the Hon. Mark Buttigieg. I remind the Shooters party, whose member has gone on a large segue, that this motion is about improving laws against bestiality. It was the Animal Justice Party that brought in automatic lifetime animal bans for anybody charged with bestiality. It was the Animal Justice Party that brought in laws outlawing the possession, distribution and production of bestiality material. It was the Animal Justice Party that stopped this House from turning bestiality into a summary offence, and it was the Animal Justice Party that called out the former Minister's attempt to put exemptions into the Crimes Act that would have had the effect of creating a defence for acts of bestiality during hunting and in slaughterhouses. The Animal Justice Party is the only party I am aware of that has worked to strengthen laws in this space. To my knowledge, the Shooters party has never taken any action or changed any laws.

**The PRESIDENT:** Order! The Hon. Emma Hurst will be heard in silence.

**The Hon. EMMA HURST:** The Shooters party has never taken any action. Instead, today's attempt to take away from the seriousness of a motion about the sexual abuse of animals and the sexual abuse of children is a shameful display. The sexual abuse of vulnerable victims is not a chance to play dirty politics. The Animal Justice Party's position on this, through our actions, is abundantly clear. I encourage members to support the motion.

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

**Motion agreed to.**

### *Documents*

## **SYDNEY INTERNATIONAL SPEEDWAY**

### **Production of Documents: Order**

**The Hon. SCOTT FARLOW (17:26):** I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 28 March 2023, in the possession, custody or control of the Minister for Planning and Public Spaces, the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism and Minister for Sport, the Department of Planning, Housing and Infrastructure, Transport for NSW, Greater Sydney Parklands Trust, Western Sydney Parklands Trust or the Office of Sport relating to the Sydney International Speedway:

- (a) all documents relating to the appointment of the venue manager and operator of the Sydney International Speedway;
- (b) all documents relating to the operational ability and financial capacity of Western Sydney International Dragway Ltd and Sydney International Speedway Pty Ltd to manage and operate the Sydney International Speedway;
- (c) all documents relating to any assessments conducted on directors or employees of Western Sydney International Dragway Ltd or Sydney International Speedway Pty Ltd, including Mr Troy Boldy and Ms Yvonne Boldy;
- (d) all documents relating to advice, investigations or probity reviews relating to the Sydney International Speedway;
- (e) all documents relating to the subleasing of the Sydney International Speedway by Western Sydney International Dragway Ltd;
- (f) all documents relating to correspondence and meetings between the Minister for Planning and Public Spaces or the Office of the Minister for Planning and Public Spaces and representatives of Western Sydney International Dragway Ltd, Sydney International Speedway Pty Ltd; and
- (g) 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.

Under the Minns Labor Government, a bankrupt has been playing an integral role in the running of the \$110 million Sydney Speedway. Understandably, the community and the speedway industry have raised questions over the viability of this arrangement. The planning Minister entrusted the management of the speedway to a Labor identity, Tony Beuk, and Western Sydney International Dragway Ltd in what has been described as a sweetheart deal. Why were Tony Beuk and the Drags given this lease when they had no intention to operate it and sought a sublease introducing a venue operator immediately? We were told through budget estimates that this was because they were the underbidder, but in terms of the bid it was actually different because originally the Drags had intended to operate it themselves.

This led to the Drags engaging Sydney International Speedway Pty Ltd. It is barely believable that the 76-year-old Yvonne Boldy, with no motorsport experience, is the one who is running this organisation when her son, Troy Boldy, is posting photos on Facebook of him running the speedway after being appointed as the CEO and updating his Facebook profile to suggest that he is the CEO of the speedway. We suspect that Ms Boldy's appointment as a director of Sydney International Speedway Pty Ltd is a shadow directorship to allow her bankrupt son, Troy, to run the show. The management of the Sydney speedway is deserving of further scrutiny by this House. The planning Minister has facilitated a scenario where a bankrupt was the CEO of a \$110 million New South Wales Government asset.

I asked the Minister in estimates about the financial capabilities that Sydney International Speedway Pty Ltd had behind it, and the Minister could not answer. He did not know. What due diligence was done before the Minister issued a press release three days before Christmas appointing Sydney International Speedway Pty Ltd as the operator of the speedway which indicated "they understand the speedway industry"? Sydney International Speedway Pty Ltd was established a few days before the 22 December announcement. The Boldys have never run a speedway. That company was formed only nine days before the announcement. The Office of Sport had to step in and make clear its concerns in terms of the operation of the Wollongong Kart Raceway, which was run by Mr Troy Boldy, the purported CEO of the Sydney International Speedway.



The motion will highlight what due diligence was conducted before the announcement on 22 December. There are numerous concerns and inconsistencies with the way the tender and lease were handled and the operator appointed. A key requirement is that Western Sydney Parklands Trust establishes that the lessee is:

... of good repute and has not been the subject of significant adverse publicity or the subject of any formal adverse finding by any Authority that would cause a reasonable person to have concerns about reputational risk to the Lessor or the fitness or ability of the Lessee to perform its obligations ...

A bankrupt is surely "subject of any formal adverse finding by any authority that would cause a reasonable person to have concerns about reputational risk". This requirement has, to any reasonable person's judgement, not been met and encapsulates why this motion needs to be passed so we can get to the bottom of this story. How did the Sydney International Speedway Pty Ltd satisfy the criteria with a bankrupt running the show? The tender had a fixed expiry date. The only way Greater Sydney Parklands could adjust the tender expiry was to write to all proponents and advise of the adjusted date, which, to our understanding, Greater Sydney Parklands never did. This Standing Order 52 order for papers will allow us to see whether this was indeed the case.

Is the speedway progressing well under this management? The Minister lauded the practice session that occurred a couple of weeks ago. It did not go off without a hitch like the Minister implied. I am informed that the track had issues after the first practice. Cars hit the road base in one of the corners. This should never happen on a clay speedway. As I understand it, in November last year concerns were with raised the planning Minister's staff about the surface and there does not appear to have been any action.

Considering that bankrupts have been heavily involved in the management of the speedway to this point, the future financial capacity and viability of Western Sydney International Dragway and Sydney International Speedway to manage and operate the speedway should be the subject of further probity outside of the Government. Running a motorsport venue is expensive. We need to be satisfied that directors and shadow directors who have been previously bankrupt have the financial support to invest in the speedway long term, particularly considering the previous operators of the speedway left because they could not maintain the financial requirements.

The Coalition would not entrust a speedway built with taxpayer funds to a directorship connected to bankrupts and is concerned that this is what has happened in this case. The poor decision-making of this Government is becoming a hallmark. I hope that the speedway has success and that speedway participants will be able to be on track and have a successful long-term future. However, these concerns are being raised by the speedway industry and participants in the sport. These concerns need to be met with further probity from this Parliament, not just the Minister and his department saying, "Trust me."

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:31):** I move:

That the question be amended by omitting "21 days" and inserting instead "28 days".

The Government will not oppose the amended Standing Order 52 order for papers. I urge members to consider the amendment to 28 days.

**The Hon. SCOTT FARLOW (17:32):** In reply: The Opposition accepts the amendment moved by the Leader of the Government and thanks the Government for its cooperation on this matter. I thank members of the House for its consideration.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Hon. Scott Farlow has moved a motion, to which the Hon. Penny Sharpe has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

*Business of the House*

#### POSTPONEMENT OF BUSINESS

**The Hon. PENNY SHARPE:** On behalf of Ms Abigail Boyd: I postpone private members' business item No. 831 until a later hour of the sitting.

**The Hon. PETER PRIMROSE:** On behalf of the Hon. Emily Suvaal: I postpone private members' business item No. 794 until a later hour of the sitting.

## SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS

**Ms ABIGAIL BOYD:** I move:

That standing and sessional orders be suspended to allow private members' business item No. 831 relating to an order for papers regarding the WestInvest program to be called on forthwith.

**Motion agreed to.**

### *Documents*

## WESTINVEST PROGRAM

### Production of Documents: Order

**Ms ABIGAIL BOYD (17:35):** 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 before 26 March 2023, in electronic format if possible, in the possession, custody or control of the Premier, the Premier's Department, the Cabinet Office, the Treasurer or Treasury relating to the WestInvest program:

- (a) all documents relating to the eligibility criteria or official guidelines for each round of the program;
- (b) all documents concerning the assessment and approval process for determining funding allocations, including:
  - (i) any record which discloses who was responsible for final approval;
  - (ii) all probity plans, probity advice and probity reports; and
  - (iii) all documents relating to the program alignment panel and steering committee processes.
- (c) all documents relating to the engagement of members of Parliament and feedback provided by members of Parliament, as a part of the application, assessment and approval process;
- (d) all briefings to Ministers and department executives on the design of the program, including Cabinet submissions and supporting documents;
- (e) all agendas and minutes from meetings between Ministers or the Premier and heads of the Department of Premier and Cabinet, Treasury, or Infrastructure NSW;
- (f) all communications relating to the origin and design of the program which contains information not documented in briefings, or meeting agendas or minutes, as identified in paragraphs (d) or (e) of this resolution;
- (g) all material used for consultation with potential applicants;
- (h) all applications submitted in each round;
- (i) all documents relating to approved or rejected applications or projects;
- (j) all documents concerning conflict of interest declarations; and
- (k) 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 WestInvest Program stank from the moment it was introduced. As members may recall, this was the pot of public money from the WestConnex sale that was to be simultaneously put into two places and was announced with a slick ad before there were any details of what it was or how it would operate. It is no surprise then that we now have the Auditor-General telling us that effectively the operation of the WestInvest Program was deeply flawed. The Audit Office of NSW released its performance audit entitled *Design and Administration of the WestInvest program* on 28 February this year. It is a gripping read. If members have not had a chance to read it yet, a key finding is that the design of the WestInvest Program "was not informed by robust research or analysis" to support the best use of a funding commitment of this scale.

The program was initially presented as a COVID-related stimulus measure, but no business case or other economic analysis was conducted to support it. Despite then Treasurer Perrottet saying at the time that the package had been in development for six months ahead of its announcement in September 2021, the Audit Office report confirms what was evident from our Public Accountability Committee [PAC] hearing on this issue on 23 September 2021, namely, that Treasury's input was sought only during the week prior to the announcement of the program.

Anyone who was watching that PAC hearing will remember the questions we asked and the difficulties we had in trying to get this information out. The poor Treasury officials seemed to not want to tell us that they had no idea about this program until shortly beforehand, but it became patently obvious that was the case and it has now been confirmed. According to the Auditor-General's report, there was no internal documentation as to why only certain local government areas were selected as eligible for funding from WestInvest. There was no documented rationale for the objectives and focus areas of the program. In a media release at the time I called it a "thought bubble" and it appears I was spot on.

The second major finding from the report was, "Many projects that had no clear link to the purpose of the program were allocated funding." The Auditor-General found that advice from the WestInvest Steering Committee about the eligibility and merits of the projects in the New South Wales government projects round was not followed consistently by the then Treasurer, and justifications for the Treasurer's decisions were not documented. From the report, it appears that then Treasurer Matt Kean was pretty much making up things as he went along—changing guidelines, approving projects that would normally be funded through the annual budget process. But discredit where discredit is due, the new Labor Government apparently was not getting business cases for many of the projects that it redirected the WestInvest money towards, in breach of New South Wales government rules.

Reading the Auditor-General's report would not have been an enjoyable experience for Matt Kean. I am aware that he has written to the Auditor-General contesting the findings, so let us find out what is sitting behind the Auditor-General's concerns and get all the relevant documents on the table to clear this up. I have spoken to many people over the past couple of years who applied for WestInvest funding for incredibly worthy and necessary projects but were refused, only to find out that a relatively wealthy organisation up the road had been hugely fortunate in the allocation that was given to them. That anecdotal inequitable distribution of WestInvest funding is backed up by the Auditor-General in her report, who pointed out that the process favoured applicants with greater resources and experience in preparing grant applications and found that there was also a significant imbalance in the distribution of funding between eligible local government areas.

This House has a lot of experience looking into grants programs and assessing them for political interference. My former colleague, now Senator, David Shoebridge was instrumental in highlighting the blatant pork-barrelling that took place under the former Coalition Government. If Coalition members think that just because they are now in opposition they can escape scrutiny for the grants programs they presided over in the last term of Parliament, they are much mistaken. The Auditor-General has produced an absolutely scathing report, highlighting matters of such importance that I believe the House has no choice but to use its powers to fully investigate the matter. I commend the motion to the House.

**The Hon. DAMIEN TUDEHOPE (17:40):** This extraordinary motion seeks papers relating to issues that have been thoroughly examined by the Auditor-General and have been the subject of her report. It is astonishing that, rather than focusing on holding the Government to account, The Greens live in a fairy world of thinking that it is still all about the previous Government. Hopefully the Auditor-General had access to all the papers that are the subject of this Standing Order 52 motion. The Auditor-General has prepared a report. The previous Treasurer has drawn issues with some of the findings she made in the report. The Auditor-General found no issue with the manner in which community grants were allocated by the previous Government. In fact, she said that they were handled in an absolutely proper way.

It appears that in addition to the community grants program, the member is seeking to examine the former Government's project round of funding. Again, I draw issue with some of the findings of the Auditor-General in relation to that. Governments are entitled to decide which projects they fund. The decision to fund one school over another is exactly what governments do to ensure that they pursue the projects that are their priorities. If The Greens' agenda is to explore what the previous Government did, then that is how they choose to use their resources. However, a proper utilisation of the resources of members would be to hold the current Government to account, which is what the Opposition will do. Paragraph (d) of the motion relates to Cabinet papers. I say to the mover of the motion and Government members that if that paragraph is agreed to by the House, it creates a precedent that would be unacceptable to the Government and may well apply to future Standing Order 52 documents that the Opposition will seek from the Government.

**The Hon. DANIEL MOOKHEY (Treasurer) (17:44):** I move:

That the question be amended by omitting "21 days" and inserting instead "28 days".

To be fair to the shadow Treasurer, he raises a very good point about the request in paragraph (d) of the motion, which I am sure the mover of the motion will address in reply as to why former Cabinet documents are being sought. However, it should not be inferred that just because the House calls for these documents, the Government will comply. This Government honours the Cabinet conventions of previous governments and it will reply as an Executive in the ordinary way to Cabinet submissions. The Government does not intend for any aspect of the previous Cabinet's papers to be released to the House whatsoever. That proposition would not be endorsed by the custodians of the previous Cabinet's documents.

The shadow Treasurer makes a very good point and the mover of the motion needs to address it. We might have some conversations about that particular point in the intervening period, but the shadow Treasurer is right in saying that Cabinet documents, particularly deliberations of previous governments, should be respected. That was always the position that Labor adopted when in opposition, and we do not expect to transgress on that principle

now in government, so the extent to which the shadow Treasurer says that principle will be asserted is wrong. The reality is the House will ask for Cabinet documents, the Government will not provide Cabinet documents and then we can eventually decide whether we are going to run off to the Supreme Court and sort it out.

In respect of the balance of what the motion is calling for, it is appropriate that these matters are scrutinised. The Auditor-General's stunning report brought to light exactly how much my predecessor interfered in the WestInvest program. I accept that my predecessor disputes that, but I point out that my office is not commissioning grants programs, publishing guidelines and ignoring them and then adjusting those guidelines to reverse decisions. The previous Government engaged in this pattern of behaviour with not just WestInvest but, as the House learnt in the last Parliament, multiple other matters as well. It is not like this was a one-off. It happened with the Stronger Communities Fund and many others. To the extent the House wishes to scrutinise those things, so be it. The Government will not interfere with that scrutiny function.

**The Hon. EMILY SUVAAL (17:47):** I associate myself with this important motion that speaks to WestInvest and the issues that were ventilated in the recent Auditor-General report, which concluded that the WestInvest scheme lacked integrity and highlighted a number of concerning elements to it. Following the damning review, the Auditor-General made recommendations, which pleasingly have been accepted by the Government. The report looked at the design and integrity of the previous Government's \$5 billion WestInvest program. It found that the areas of focus for WestInvest were decided by Ministers and their staff without advice from agencies, and that funding advice from the WestInvest Steering Committee was not followed by the then Treasurer. It found that justifications for key funding decisions were not documented and multiple projects were allocated funding, despite being assessed as ineligible or unsuitable. To be clear, multiple projects were allocated funding despite being assessed as ineligible or unsuitable. It also found that the process for assessing applications was not agreed between government agencies and the then Treasurer.

Of course, we in government are not pork-barrelling money into communities in the way in which our predecessors did. WestInvest is one of a litany of examples of them playing politics with public money. The New South Wales Government is making better and fairer choices, certainly for Western Sydney, and redirecting the funding to where it is needed. We are talking about schools. We are talking about hospitals in Western Sydney; Rouse Hill Hospital springs to mind. We are talking about all of the wonderful teachers and schools out there that had infrastructure backlogs and upgrades that were overdue, and the schools that were well behind schedule. This Government is prioritising funding in Western Sydney to areas where it is needed and where there is merit. We are not continuing the pork-barrelling approach of the previous Government.

**The Hon. Dr SARAH KAINE (17:50):** Based on the contributions of the Hon. Damien Tudehope and the Treasurer, I move:

That the question be amended by omitting in paragraph (d) "including Cabinet submissions and supporting documents".

**Ms ABIGAIL BOYD (17:51):** In reply: I will deal with the second amendment first. Yes, we were just trying it on—but not today! I accept that amendment. We were not going to push it; we were just going to wait and see what we got. It was worth a try. I thank everyone for their contributions. The Hon. Emily Suvaal said, "This is \$5 billion we are talking about. This is not small amounts of money." I have been having a discussion with the Leader of the Opposition in this place for some time about holding the previous Government accountable. It is an incredibly dangerous idea that a government in its dying days, when it is most desperate and most likely to lose government, could do all manner of things and think that the best-case scenario is it scrapes back in—or maybe that is the worst-case scenario; it might then be scrutinised for what it was doing. But otherwise it can just do things and no-one is ever going to look at what it did.

Do we apply that same principle, for example, when a Minister moves on? Maybe there we get a report that that Minister was perhaps not doing the right thing, but "That's okay; they have been replaced now. Why are you holding that person accountable?" It does not make any sense. Opposition members may well be in government again one day. It could be sooner; it could be later. Government members who have done the wrong thing might move on to other levels of government—say, to the Federal level of government.

I hold Margaret Crawford in high esteem. She has done an incredibly good job as the Auditor-General in this State. Time after time, she has shown courage, integrity and commitment to accountability and democracy, and has never once steered us wrong in her reports. Every single time we got one of her reports and looked into it, she has been spot on. The idea that she got this one wrong and that there is nothing more to see here is, I think, fanciful. I love it when people talk about The Greens somehow being fanciful when they think that things that they did as members of the previous Government are apparently just washed away with the rivers of time. I view holding government to account as a particular responsibility of the crossbench in this place. We are not forming government any time soon; I am not particularly interested in it. But what I am interested in is the democracy in

this place and the accountability of the government of the day, and that does include the government of the prior day that wants to be government again. I commend the motion to the House.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Ms Abigail Boyd has moved a motion, to which the Hon. Daniel Mookhey and the Hon. Dr Sarah Kaine have moved amendments. The question is that the amendment of the Hon. Daniel Mookhey be agreed to.

**Amendment of the Hon. Daniel Mookhey agreed to.**

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The question now is that the amendment of the Hon. Dr Sarah Kaine be agreed to.

**Amendment of the Hon. Dr Sarah Kaine agreed to.**

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

**Motion as amended agreed to.**

#### *Business of the House*

### **SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS**

**The Hon. EMILY SUVAAL:** I move:

That standing and sessional orders be suspended to allow private members' business item No. 794 relating to nuclear waste to be called on forthwith.

**Motion agreed to.**

#### *Motions*

### **NUCLEAR WASTE**

**The Hon. EMILY SUVAAL (17:57):** I move:

That this House notes that regional New South Wales should not be the dumping ground for nuclear waste.

I am pleased to speak again today about the importance of regional New South Wales. Quite obviously, regional New South Wales should not be the dumping ground for nuclear waste. It is an interesting time in New South Wales because the Leader of the Opposition in Canberra, Peter Dutton, has announced that he is interested in six sites for nuclear power plants in Australia. Two of those are in regional New South Wales. That could mean reactors being built in the Hunter, in the Central Coast, or in western New South Wales. I recently travelled to my duty electorate of Myall Lakes. When I am there, I make a habit of listening to Great Lakes FM, which is a fantastic country radio station. I commend the volunteers who run that radio station. I often hear the ads from the sponsors. Dr David Gillespie talks about getting nuclear power and how important nuclear power is. So I think Smiths Lake should be on the agenda too. Why not write off Smiths Lake? There is water there, and Dr David Gillespie wants it. I wonder how his colleague, the Hon. Tanya Thompson in the other place, feels about it?

We know nuclear power is one of the most expensive forms of power. Where is that expense borne out? In this country, we know—and we have canvassed it extensively in recent inquiries—that every increase in the electricity cost is borne by consumers. It must be passed on to consumers. We also know that we have an energy market that is highly regulated and, even if we wanted to consider building nuclear reactors, we could not do that for two decades. At the moment we are facing a unique situation in New South Wales and, indeed, in Australia. As we stare down the barrel of our net zero target, we also stare down the barrel of coal-fired power stations, like Eraring in Lake Macquarie, which I have the honour of representing. As a Government spokesperson I also represent the Upper Hunter, where we have Liddell, which has gone offline, and Bayswater. We are facing a unique situation with ageing coal-fired power stations that are closing and we need to do something now.

The farcical idea that a nuclear power plant is a solution is exactly that—it is farcical. It is not founded on evidence. Indeed, many people within the Liberal Party agree that it is a farcical idea. Federal Liberal MP Rowan Ramsey has said that any talk of where these power plants would be built or where waste would go is simply conjecture. There is no plan. There is no way that that could possibly happen. The Liberal MP for Sturt, James Stevens, has argued that community concerns must be allayed—and the community should be concerned. We are talking about nuclear waste. High-level radiation is emitted from it. It is not like Lucas Heights, which we know has low-level nuclear waste which can much more easily be handled and stored. In Australia, higher levels of radiation and nuclear waste has to be shipped overseas because there is nowhere that it can be processed here.

Where are we going to put our nuclear waste processing facility? Will we put that in Smiths Lake? Maybe that is a good spot for it. I am sure the locals would love a nuclear waste processing facility up there. The idea

that this could possibly be a solution is just crazy when we consider the enormous cost, the long lead-in time and the lack of private investment. It is just not a solution. It is another desperate attempt by the Liberal-Nationals to try to have this scare and fear campaign for regional New South Wales, which is facing a difficult time. The Labor Government will always look after regional New South Wales. We are getting on and doing the job after decades of neglect.

**The Hon. WES FANG (18:02):** I lead for the Opposition in debate on this motion. In doing so, I feel some pity for the member who moved the motion because we know that the motion had Minister Tara Moriarty's name on it, but it was scribbled out and replaced with the Hon. Emily Suvaal's name. I suspect that the Hon. Emily Suvaal was not seeking to move this motion. I feel it was dumped in her lap by the Minister. Speaking of dumping in laps, the way in which the motion has been phrased is interesting because we know that the Labor Party is prepared to use regional New South Wales as a dumping ground for pretty much everything else. We have solar farms dumped on us, we have wind farms dumped on us, we have transmission lines dumped on us. It is absolutely shameful that the Labor Party is engaging in this scare campaign. The Labor Party treats regional New South Wales like a dumping ground every single day, and we have had enough. That is why we are standing here, fighting for our fair share. We know that we do not get that from members opposite.

I stress that this is nothing but a scare campaign. The facts of the matter are such that nuclear power and the handling of nuclear waste is improving all the time. I was on the nuclear inquiry, as was the Hon. Mark Latham, and we heard from experts that the nuclear waste produced from reactors being used for power generation can sometimes be reprocessed into new fuel. The member is right in saying that we need to have the ability to reprocess it. But claiming that because we do not have it now means we can never have it in the future is ignoring the fact that, along with a nuclear facility and program, this country could develop a nuclear waste processing centre and deal with the waste. Ultimately, the nuclear waste that is produced is smaller than waste produced from coal and other forms of power generation and is a lot less than the waste generated after a solar factory comes to its end of life.

We know that members opposite are seeking to prosecute a scare campaign, but the reality is that we already deal with nuclear waste. The Hon. Emily Suvaal is correct in identifying Lucas Heights as a nuclear facility that generates nuclear waste. We handle that in an appropriate way. We would do so if we had nuclear power generation. Ultimately, nuclear power generation is safe and efficient, and we should embrace it.

**The Hon. MARK LATHAM (18:05):** The Hon. Emily Suvaal gave a curious speech. She said that there is no investment in nuclear power in Australia. There cannot be any private sector investment because there are bans.

**The Hon. Emily Suvaal:** I didn't say that.

**The Hon. MARK LATHAM:** You did. You said there is a paucity of private sector investment in nuclear. It is banned. She needs to update herself and understand that it is banned not only in Macquarie Street but also in Canberra. There are two bans that Labor governments administer in terms of nuclear. If nuclear is so bad and she thinks all the advocates are wrong, lift the bans and see what sort of private sector investment occurs. If there is none, I suppose she will be verified or justified in what she has said, but what is the harm in lifting the bans to see what private sector interest there might be?

The Hon. Emily Suvaal also got into an argument about cost. Again, it is a curious argument because the Labor and green argument is that the rest of the world is doing something about climate change, so Australia should do something. That is logical enough from their point of view. But Australia is the only one of the G20 countries that is not doing nuclear power in its climate change response. If we want to follow the rest of the world, we would follow them and use nuclear. Australia is the only G20 nation—one of 20—that is not going down the path of nuclear.

Australia is also the only country in the world that has a thing called Rewiring the Nation. We cannot go 100 per cent renewable on the east coast; we have to go inland and go through the \$20 billion to \$30 billion cost of rewiring the entire transmission network—the entire electricity grid—to hook up the wind and solar power in the western parts of New South Wales. It becomes a very different equation once we factor in that cost. With nuclear, the small modular reactors that are proposed, when the coal-fired power stations close, just plug them into the existing site because all the wires will already be there along the east coast—an obvious cost saving.

The other cost factor in going 100 per cent renewable is the backup power. Nuclear does not need backup because not only is it carbon free but also it is a baseload power. But if we go 100 per cent renewables, we obviously need backup power for when the sun is not shining and the wind is not blowing. The backup power example that we have so far—the flagship advocated by the 100 per cent renewable brigade—is Snowy 2.0, which is going to end up being a \$20 billion white elephant, the most expensive and useless piece of infrastructure in the

history of the nation as that poor Florence machine tries to drill through the mud and the slush in the Snowy Mountains.

Once we factor in the \$20 billion to \$30 billion for rewiring of the nation and the cost of the backup power, the cost equation becomes very different. Snowy 2.0 is your great example of waste and mismanagement. It is a hopeless program. And where else do we get the pumped hydro on mainland Australia, the driest and flattest continent on earth? But if people are worried about nuclear and waste issues, lift the bans and see what happens. I think that is the best form of public policy to promote.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:08):** I am proud to associate myself with the motion that has been moved by my most honourable colleague the Hon. Emily Suvaal. This is a very clear cut, simple motion, which notes that regional New South Wales should not be the dumping ground for nuclear waste. It is as simple as that. I am entirely proud to stand here and support that motion from my colleague. That is the view of the New South Wales Government. It was an extraordinary contribution from the representative of the National Party, the Hon. Wes Fang, who certainly did not even rule out that regional New South Wales should be, under any future Liberal-Nationals Government, a dumping ground for nuclear waste in this State.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Order!

**The Hon. TARA MORIARTY:** That is an appalling representation of the issues—

**The Hon. Wes Fang:** That is a scare campaign and I think it's tenuous.

**The Hon. TARA MORIARTY:** You had a chance to contribute and you didn't rule it out.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Order! Order!

**The Hon. Mark Buttigieg:** Point of order: Madam Deputy President, you have called for order several times. The Hon. Wes Fang continues incessantly to interject and to try to run interference. I ask that you call him to order or eject him from the Chamber.

**The Hon. Jeremy Buckingham:** To the point of order: I concur with the Hon. Mark Buttigieg. This member has a lot of form in flouting and disregarding the rulings of chairs and—

**The Hon. Wes Fang:** Only you, Jez.

**The Hon. Jeremy Buckingham:** I acknowledge the interjection. You have a lot of form. You will be held to account.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Order! I place the Hon. Wes Fang on two calls to order.

**The Hon. Wes Fang:** Two calls? No, one. That was yesterday.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Clerk will stop the clock. The Hon. Wes Fang is on two calls to order. If the Hon. Wes Fang is called to order for a third time, he will be removed from the Chamber. He will think about his actions. I also remind the Minister to direct her comments through the Chair. The Minister has the call.

**The Hon. TARA MORIARTY:** I will take that advice. In the 30 seconds I have left, I will be clear: The Labor Government's view is that regional New South Wales should not be a dumping ground for nuclear waste. The Coalition is floating bizarre thought bubbles because it is so pathologically opposed to the renewable program that ironically had bipartisan support under its watch. It does not even have plans for where the waste would go. The National Party's contribution to debate did not rule out dumping waste in regional communities, which is outrageous. Regional New South Wales should not be the dumping ground for nuclear waste. It is as simple as that.

**Dr AMANDA COHN (18:12):** The Greens support the motion and thank the member for bringing this important issue before the House, which needs to be discussed because of the Opposition's sudden infatuation with nuclear power and because of the significant threat posed by the Albanese Labor Government's legislation regarding nuclear submarines and nuclear waste as part of the controversial AUKUS agreement. Legislation currently before the Federal Parliament as part of the AUKUS agreement on nuclear submarines would allow any part of the country at any time to be declared a nuclear waste facility, where nuclear waste can be stored through regulation without any public consultation and, in practice, allow First Nations peoples' rights and connection to country to be overridden. I acknowledge the work of my colleague Senator David Shoebridge in bringing this information to light.

When a nuclear waste facility was proposed in Brewarrina shire for waste from nuclear medicine and materials research, the community fought back with a strong campaign for No Nuclear Bundabunda on Ngemba Land. In mentioning that campaign, I acknowledge the outstanding work of Councillor Trish Frail. It is extraordinarily difficult to build nuclear waste facilities just for the small amount of nuclear waste currently produced let alone what would be produced if nuclear power stations were constructed in Australia, which of course are expensive to build, operate and decommission. They are also slow and unnecessary, but that is not the subject of the motion.

In 2019 then environment Minister Sussan Ley strongly recommitted to the moratorium on nuclear power, saying that she would not consider lifting the ban as part of a review of Australia's environmental protection legislation. She has changed her tune out of political opportunism now that it is not her responsibility to manage. As a resident of her Federal electorate of Farrer, which extends all the way from Albury to the South Australian border, it is astonishing that she is pushing nuclear power without any commitment to where nuclear waste would be dumped. I am sure that our electorate, like much of western and Far West New South Wales, would be under consideration.

Proponents in this Parliament both of nuclear energy and of the AUKUS agreement to have nuclear submarines need to come clean with rural and regional communities about where they plan to dump toxic nuclear waste. It remains radioactive and dangerous to human health for thousands of years. Despite any regulation about storage or transportation, the best way to manage a hazard is of course to eliminate it. Let us not produce any additional nuclear waste in New South Wales.

**The Hon. PETER PRIMROSE (18:14):** I support the motion before the House. One of the fascinating elements of this matter that has always amazed me is diagrams and artist impressions of things like small modular nuclear reactors and what they will look like in New South Wales and we have the thing that looks like a very large toilet block with the city skyline in the background, surrounded by trees and people cycling et cetera. The reason we have this fantasy that does not need any security or protection is that these things do not exist. No small modular nuclear reactors anywhere in the world are operative at the moment. The idea that these reactors will suddenly be available and secure and located close to where people are able to access their electricity from is nonsense.

This is not a new idea from the Coalition. In ye olde days, John Howard and the Coalition also proposed nuclear power. The then State Labor Government did a number of things. One was to set up an inquiry looking at the transportation of nuclear waste. Unless the Liberals and The Nationals and the Hon. Wes Fang are taking another fantasy from *Star Trek* and proposing that they are going to get high-level nuclear waste, energise it and transport it somehow through the ether to a location, it actually has to be moved.

I was appointed as the chair to this all-party inquiry looking at the transportation of nuclear waste in New South Wales. We looked very carefully because we were talking not only about nuclear waste but also about transporting it to where it was going to be stored—regional New South Wales. The emergency services told us that, if there was an accident with this stuff, anywhere at all, it would be impossible to clean up and it would be impossible for that area to be used for probably close to half a million years. We are talking about running high-level nuclear waste on roads through regional New South Wales. The only thing I can say is live long and prosper. As the inquiry showed, it is a problem not only because of a lack of design for where it will be created within these small modular reactors but also because we do not know how it will be processed and where. We will have to transport the stuff—[*Time expired.*]

**The Hon. JEREMY BUCKINGHAM (18:17):** It is like clockwork. Every time Coalition members, especially Federal, run out of ideas in the energy debate, they hit the nuclear button. They blow up their credibility and then they crawl off for a decade, forget what they have done before and then do it again. We saw that in 2007 with John Howard under pressure from Kevin Rudd. What did he do? He rolled out Ziggy Switkowski and said, "We don't need renewables. Let's build nuclear." The truth is that we will be a renewable superpower in the next decade. There is no need to build any nuclear in this country. Anyone who looks into building nuclear and understands it like I did—because I opposed the nuclear waste dump that was transmitting nuclear waste through Orange—

**The Hon. Wes Fang:** You're an expert.

**The Hon. JEREMY BUCKINGHAM:** Thank you very much. I am an expert. I know a lot more than the Hon. Wes Fang. I know that nuclear power requires vast amounts of water. That is why they build them on the coast. That is why they build them next to massive rivers. In Australia, we would have to build it on the coast. The only place we could build it in New South Wales is at Jervis Bay or the Central Coast. In Queensland, the only place to build it is in the division of Flynn or Gladstone, on the coast. That is exactly right. Go to those electorates. Tell the people of the Central Coast that we will turn Eraring off and give them Fukushima. That is



exactly what they will get, because nuclear power requires vast volumes of water, and the Hon. Wes Fang would know that we do not have vast inland rivers.

**The Hon. Dr Sarah Kaine:** Point of order: I ask that the Hon. Wes Fang be called to order again for his continual interjections and berating of the member who is speaking.

**The Hon. Wes Fang:** To the point of order: It was pretty clear that the member was not directing his comments through the Chair. If anybody is to be called to order, it should be the Hon. Jeremy Buckingham.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Is the member taking a point of order?

**The Hon. Wes Fang:** No, I was addressing that point of order.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** I remind the Hon. Wes Fang that he is on two calls to order.

**The Hon. Wes Fang:** No, one. We have had that discussion.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Hon. Wes Fang was placed on two calls to order. If the member is called to order for a third time, he will be removed from the Chamber. The Hon. Jeremy Buckingham's time has expired. I warn the Hon. Wes Fang that I am close to calling him to order for a third time and having him removed from the Chamber.

**The Hon. JEREMY BUCKINGHAM:** I seek leave to make a further contribution for one minute.

**Leave not granted.**

**The Hon. CAMERON MURPHY (18:21):** I was moved to contribute to this debate and correct some of the ridiculous assertions that I have heard, particularly from members opposite. If nuclear power was viable, then the market would have backed it. I read the financial pages, like everybody else does, and the Hon. Mark Latham is just wrong: There are no investment companies or super funds. Nobody else is out there clamouring for reform to deregulate so that nuclear can come back. This is always the go-to thing of the conservatives. As the Hon. Jeremy Buckingham just said, every time they have nothing, this is what they go to. Why do they go to nuclear power? It works for them. How does it work for them? It wins preselections. The honourable member who was elected in the northern beaches at the last election won his preselection off the back of him running around telling people that this magical new device—as the Hon. Peter Primrose described it—of compact localised nuclear reactors would be viable and could be rolled out in each suburb. They do not work. Nobody has invented them yet. The only place that we have them is in nuclear submarines, because we cannot make them safe in suburbia.

If we had a large-scale nuclear reactor, all we would have is a waste problem, and that waste is there for tens of thousands of years. It is not reasonable for us to export nuclear waste to another country. It is not reasonable for us to be arguing that communities that do not benefit from the power should be dealing with that waste. I hear this from the Federal Liberal Party: It is quite happy to plonk down nuclear reactors that power cities, but then it wants to put the waste in the desert in South Australia or in regional communities in New South Wales. Under their plan, people who do not benefit in any way from nuclear power generation would be expected to deal with the waste forever and a day.

I thank the Hon. Emily Suvaal for bringing the motion to the House. It is an utter disgrace that National Party members will not support the motion and protect regional communities from being waste dumps. Under their policy, they want someone else to get the benefit of the power but they want the waste to go to regional communities that get nothing from this. It is a ridiculous idea. It should not be in place. The National Party should be ashamed of its position on this issue.

**The Hon. MARK BUTTIGIEG (18:25):** The poor things, seriously. Members opposite are out of government federally for—what is it? We are heading up to two years now. "What will we do about Albo? We have this Minns character in the State level. He seems unshakeable too. Where will we get our policy from? There's a bloke in the upper House of the New South Wales Parliament called Wes Fang. Let's give him a call." That is one phone call they have made. Poor old Dutton gets on the phone to Wes and says, "What do you think we should do?" "Let's start up the nuclear debate again. Let's put nuclear reactors all through regional New South Wales." Just when Australia is being dragged into the twenty-first century by Federal and State Labor governments all over the country and is actually fostering a renewable industry, which will create jobs and economic growth and a clean environment to boot, this lot wants to take us back to the '70s.

Nuclear power. Can anyone believe it? Talk about an own goal. I cannot even believe I am hearing this stuff from members opposite. It smacks of political desperation and irrelevance to put up a technology that has a litany of failures. What do we do with the waste? What about the cost? It is a 20-year build time frame. It has

proven to be unviable, and yet members opposite persist. We can only assume that it is out of some sort of political desperation, where they hope that the likes of Sky News and the conservative media get on board and say, "This is a great thing. We have to go down the nuclear path."

The people of New South Wales and Australia are not stupid. They see through this. They know our future is in clean, renewable energy. They know that is where the economic growth is, and they know that is where the future of our environment is. Members opposite should understand this statistic: By the 2027 election, 52 per cent to 53 per cent of the electorate will be made up of people they call the millennials—that is people born after 1982 or 1983. What do members opposite reckon those millennials will do when they see their dinosaur of a party putting up nuclear power as the alternative policy platform that people have to look for? They should continue to prosecute this argument right up to the 2027 election, because we will enjoy campaigning in every single electorate against them.

**The Hon. EMILY SUVAAL (18:27):** In reply: This has been a fun way to round out a Wednesday evening before the dinner break. I thank and acknowledge all members who participated in this debate today: my colleague the Minister, who has done a lot of work in this space; the Hon. Peter Primrose; the Hon. Jeremy Buckingham, who is always entertaining; the Hon. Wes Fang; the Hon. Mark Latham, who is no longer in the Chamber; and Dr Amanda Cohn. The Hon. Wes Fang has said we have this scare campaign. I am not sure if he recalls talking about having a small modular reactor in his backyard in Wagga, but I distinctly remember him doing so. The honourable member has clearly advocated, in the past, for nuclear reactors in regional New South Wales in his hometown of Wagga.

In terms of backup power, I remind the Hon. Mark Latham that there is a wonderful thing called the Waratah Super Battery. Indeed, lots of community batteries are going forward. We have options for backup power, but nuclear is not an option for backup power in this country. The wonderful Upper Hunter also has many options for pumped hydro. Massive coalmining pits are sitting there ready to go. Plenty of options are on the table. One of those is not nuclear power. I acknowledge the Hon. Peter Primrose for bringing *Star Trek* into the debate. That was a very honourable contribution.

I remind the New South Wales National Party that it signed up to the renewable energy zones when it was in government and put out press releases championing them. Instead of backing its own policies and its legacy in government, it is jumping on the Federal Nationals radioactive bandwagon and the crazy idea that we should be dumping waste in regional New South Wales. It is a breathtaking backflip and, as my colleague the Hon. Cameron Murphy called out, a cynical grab for pre-selection votes. The National Party frontbench members are too interested in joining the Federal Nationals party room to stand up for the regions and their State. Regional New South Wales cannot be a dumping ground for nuclear waste just because those opposite have aspirations for Canberra.

Members opposite need to stand up to their Federal colleagues and categorically say that the regions will not be a dumping ground for nuclear waste. As we have seen, members of the Federal Nationals and Liberals have questioned the nuclear policy, particularly regarding the uncertainty about where the waste will be dumped, which is very interesting. The Liberals and The Nationals will need to explain how much more their energy plan will cost taxpayers too—if they, in fact, even have a plan. Once again, I acknowledge all members who participated in the debate. The Labor Party will never dump nuclear waste in regional New South Wales.

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

**Motion agreed to.**

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** I shall now leave the chair. The House will resume at 8.00 p.m.

## PALLIATIVE CARE

**The Hon. SUSAN CARTER (20:02):** I move:

- (1) That this House recognises the importance of providing access to palliative care for all those who could benefit from it, including terminally ill children.
- (2) That this House notes that the commitment made in the 2022-23 budget by the former Coalition Government to providing \$650 million in recurrent funding over five years for the world-class end-of-life care program Enhancing End of Life Care was praised by then Opposition Leader, Chris Minns, MP.
- (3) That this House further notes that under the Minns Labor Government the Expenditure Review Committee reduced the "funding envelope" for the world-class end-of-life care program Enhancing End of Life Care to \$401 million, a cut of nearly a quarter of a billion dollars to palliative care funding, resulting in the abandonment of the detailed five-year implementation plans submitted in April 2023 by every local health district.

- (4) That this House calls on the Government to reverse these cuts and restore the full \$650 million funding to the world-class end-of-life care program Enhancing End of Life Care.

Let us begin with the maths. The Coalition Government committed \$650 million in recurrent funding over five years for the world-class end-of-life care program Enhancing End of Life Care, or palliative care for short. In the 2023-24 budget, the incoming Minns Government reduced the "funding envelope" to \$401 million. There is still money being spent on palliative care, but it is one-quarter of a billion dollars less than had been previously provided in the forward estimates. In lay terms, it is a cut of one-quarter of a billion dollars, which will affect the provision of palliative care to the dying in every local health district [LHD] in this State. Each local health district had begun to spend their allocated funds and had prepared detailed business cases for how palliative care services in their district would be delivered. These plans are now in tatters because the money that would have funded them has been slashed. It is hard to say exactly how many nurses, how many allied care workers and how many doctors will no longer be employed or how many patients will now die without access to adequate palliative care.

The local health district that covers the health Minister's electorate, the Illawarra Shoalhaven LHD, indicated in their business case an existing 38 per cent unmet need for palliative care. With these funding cuts, who will now meet the needs of these patients? Even worse, the paediatric palliative care specialist network has had their funding over the five years to 2027 reduced by 50 per cent. If anyone wants an example of economic spreadsheets taking precedence over the vulnerable and the dying, look no further than this. The Treasurer cuts funding for dying children by 50 per cent and the health Minister says, "No cuts to see here", and the children suffer.

Unfortunately, the stories of these cuts continues and the figures are grim. Hunter New England Local Health District has lost almost half of its funding. That is a 42 per cent cut to the palliative care funding provided by the Coalition Government. What will happen to the Aboriginal health workers, which that LHD had planned on hiring to provide culturally safe and sensitive care to the sick and dying in their already vulnerable community? In the five years to 2027 the Central Coast LHD was going to spend \$466,000 on Aboriginal palliative care. Will they still be able to afford this after the Government's 36 per cent cut to their palliative care funding? Northern NSW LHD has lost 39 per cent of its funding. What will happen to hiring the new 15 palliative care nurses that were planned? Yesterday we saw the announcement that the funding to Silverchain, which provides community palliative care services in the home in the Western Sydney LHD, will end as at 30 June this year. In an Orwellian announcement, Minister Park said:

I am pleased to announce that more people in Western Sydney Local Health District who need palliative care will be able to receive it, as a result of our expansion of community palliative care services ...

It is an expansion that involves a cut in funding from \$11 million a year to \$8 million, with no guarantee that all care providers will retain their jobs. How can this be described as an expansion? Palliative Care Australia expects demand for palliative care to grow each year until 2030. They recommend two full-time palliative care physicians per 100,000 members of the population. Today in New South Wales, some districts have as few as one physician per 200,000 members of the population. There is a clear need, which the Coalition addressed, and Labor is choosing to put at the bottom of the agenda. Sadly, there is no guarantee that these cuts are over. I asked the Minister for Health directly in budget estimates to guarantee that there would be no further cuts for the dying. He could not do that. The Minister for Health has described these cuts as a slight slowing of growth. If only those in need of palliative care could slow their rate of dying to match his budget cuts.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (20:07):** I lead for the Government in debate and indicate at the outset that the Government opposes the motion. I say that not because we disagree with what is in the first paragraph, "That this House recognises the importance of providing access to palliative care for all those who could benefit from it, including terminally ill children," but because this is incorrect. This is an issue that Opposition members have asked the Premier and the health Minister questions about. I acknowledge his presence in the gallery tonight and the incredibly important and excellent work that he is doing as the Minister of Health. They have asked the Treasurer about this issue. They have asked me about the issue. We have all said exactly the same thing and I am going to repeat it tonight for the benefit of the *Hansard*.

Under our Government, year on year palliative care funding will increase. This year funding will be 6.8 per cent higher in 2023-24 compared to 2022-23. It will increase again by 8 per cent in 2024-25. We are absolutely delivering record funding for end-of-life and palliative care. Let me speak specifically to the issue of terminally ill children. Funding for paediatric palliative care will increase approximately \$64 million over the next four years, or by around 60 per cent. These are important facts to put on the table to inform the House, to inform the public, particularly after the contribution of the member moving the debate. I also want to address the issue of palliative care in Western Sydney and some misleading information. It is true that Silverchain, a private provider of palliative care, will no longer be funded. That is because the New South Wales Government will be returning

community palliative care in the Western Sydney Local Health District to public hands. I am advised that there will be no loss of service as a result of the contract ending. Patients will continue to receive high quality 24/7 palliative care in the home. This is an incredibly important issue.

We know that we are dealing with very vulnerable people at a really difficult time, but it is important that this House has the facts as the debate is considered. There is a significant boost to services under this Government. It is estimated at more than 570 full-time equivalents by 2026-27 and more than 168 of those people have been recruited so far. We are boosting hospital capacity; we are improving services for patients; we are strengthening outpatient and community services; we are supporting consumers' choice; and \$93 million will be provided for capital investment.

**The Hon. BRONNIE TAYLOR (20:10):** This motion means a lot to me. I was a clinical nurse specialist in palliative care for a number of years. I know how important it is. I worked very hard in the last Government to make sure that this funding was provided, particularly after we passed the voluntary assisted dying laws, because I knew how important it would be. I acknowledge the Minister for Health in this Chamber. He is a fine man, a good man, and he is a really good Minister for Health. He is probably one of the people I respect most in this place. I respect him because I am sure that this was not his decision. I am sure that he also had to make cuts and he was told what had to happen—and he had to find funding somewhere. For Government members to say that funding has not been cut is simply not true. Funding has been cut. It would be so much easier if everybody told the truth, accepted that and said, "This is something we had to do. This is what we stand by, and this is why we have done it."

We heard all sorts of things about how the Coalition Government did not fund certain nurses, which was a media ploy that even the media did not believe. But this is really important. This was generational investment. People are saying that Silverchain will provide funding internally. I know what happens internally as I worked in an internal community palliative care team. Silverchain provides services that enable people to die at home. A spouse, daughter or son does not have to be someone's carer; those services are provided. Silverchain provides someone to help with the washing and cleaning and to assist with all of those things, which is separate from the expert palliative care provided by clinical nurse specialists, clinical nurse consultants and specialists in palliative care.

The most important thing about these sorts of investments is that it signals to people that it is a profession worth specialising in. I commend the Minister for re-funding the school nurses—one of my favourite things. It indicates that this is a specialty and that we recognise it. We are not playing politics with it. We know that it is good, and it means people want to go on to have a career. That is why this was so important in palliative care. It is why it was important in debate on the voluntary assisted dying legislation, about which many people in this place felt strongly. I respect that. I always tried to be respectful in that debate, although I felt differently. I knew the investment was there and that it would safeguard those families and communities. It is terrible that this funding has been cut. I implore the New South Wales Government to reinstate the money to palliative care.

**The Hon. EMILY SUVAAL (20:13):** I join my colleague in opposing the motion. I will address a few issues that members canvassed previously. This Government is delivering record funding for palliative care. As we have said—I will continue to talk about it—we saved over 1,112 nurses that were due to have their funding cut by the previous Government at the end of last year. The Hon. Susan Carter spoke about Hunter New England Local Health District, where 138 temporary nurses are now permanent. We saved 138 nurses that were going to be cut by the former Government. We saved 57 nurses in the Central Coast Local Health District and 82 at North Sydney Local Health District. In the Western Sydney Local Health District 109 nurses have been made permanent by this Labor Government, which is also delivering record funding to palliative care. I am very proud of the commitment of the Minns Labor Government to delivering world-class palliative care.

As someone who worked for the mighty NSW Nurses and Midwives' Association at the time that Silverchain took over the palliative care contract in Western Sydney, I campaigned with those nurses against it. They knew that their conditions would be worse under a private employer. They knew that the care that they could provide would be worse under a private employer. Academics have said on the record how funding would decrease under a private employer. The 24/7 services for that community were already in place in Western Sydney Local Health District. It is a complete fallacy to suggest that Silverchain has a unique service that was not in place before. It was being delivered by Western Sydney Local Health District prior to Silverchain taking over.

I am proud to be part of a government that is committed not only to stopping privatisation but also to putting services back into public hands so that nurses, midwives, allied health staff and all the others who work for private corporations can reap the benefits of the public sector Nurses' and Midwives' (State) Award. I know we have made significant change. They have received the highest pay increase in over a decade. They now have the rolling out of safe staffing, which will benefit them for decades to come. I am proud of our Government's

commitment to delivering world-class palliative care. I stand by earlier comments and I commend the Minister for his work in this space.

**Dr AMANDA COHN (20:16):** On behalf of The Greens, I oppose the motion. I acknowledge that, as Chair of the portfolio committee for Health, I have listened to extensive questioning from Opposition members on this matter. I supported their order for papers in this House and I acknowledge their persistence in pursuing this issue. I also accept that no patient, adult or child in New South Wales who is currently receiving palliative care will not receive it tomorrow because of a hypothetical funding cut. I appreciate the good work that the Government has done in its first year to take steps in the right direction on health matters. Finally, on the really important matter of palliative care we have to remember that specialist palliative care services that are able to be quantified are only a small part of the provision of palliative care across the State.

Palliative care is treatment that improves somebody's symptoms and their quality of life, rather than treating or trying to cure a disease or an illness. Palliative care is being delivered in every general medical and surgical ward across the State. Palliative care is being delivered by country GPs on home visits. None of that can be quantified in the State budget in the way in which specialist palliative care services are. I acknowledge the extraordinary skills and compassion of palliative care specialists. We need doctors, nurses and allied health professionals to go into that important speciality. As a former GP I am dismayed that whenever this topic is raised we talk only about specialist services and not the broader provision of the concept of palliative care, which is so critical and which clinicians are providing every day.

**The Hon. DAMIEN TUDEHOPE (20:18):** This is a motion well brought. It strikes me as extraordinary that the Government keeps denying the fact that funding has been cut. We can tell ourselves a mistruth over and over again and start to believe that it is the truth. Let me refer to a simple proposition. When it was first asserted that palliative care funding had been reduced, the Premier made the statement that the money could not have been spent. The documents that have been produced showed that every local health district had in place programs that could identify how that money would be spent. To Dr Amanda Cohn's point, there is always scope to improve the quality of palliative care, whether with specialists or with wraparound services.

It is fundamental that the documents produced by the Government firmly establish that a cut has been made. The numbers speak for themselves. I noticed that the Minister rebutted that fact and continued to recite the mantra that there have been increases. The Government got increases because the former Government provided funding, but, long-term, the Government has cut funding and should admit that. I would have expected more from this Minister, quite frankly. The problem is that Government members have accepted a political spin regarding palliative care, and political spin does not belong in end-of-life care. They should have just accepted what they have done. The documents clearly display that they have cut funding.

It is a great tragedy that the Government cannot actually admit to the cut and give some commitment in the future as to how it will be reinstated. People at the end of their lives deserve better than this. I said to the Minister during budget estimates, "If you promise your children \$10 pocket money and you give them only \$7.50, that's a cut." That is exactly what has happened here. It is simple to admit. The documents show it. The Government should have no problem in being able to accept it. The Government would rather rely on spin than on substance. It is tragic that it has cut this important funding and will not acknowledge the impact that has on people at the most difficult point in their lives.

**The Hon. SUSAN CARTER (20:21):** In reply: I acknowledge the contributions to debate from Minister Houssos, the Hon. Bronnie Taylor, the Hon. Emily Suvaal, Dr Amanda Cohn and the Hon. Damien Tudehope. I am disappointed that we have been presented with a couple of false paradigms tonight. One is "We needed more than 1,000 nurses or palliative care." It was not a question of nurses or palliative care. We know that in the budget there was an unexpected windfall from the people of New South Wales in stamp duty and land tax to the tune of \$15 billion. Could not some of that have been allocated to maintain the one-quarter of a billion dollars of funding that has been cut?

Minister Houssos is right; more money is being spent now than there was. But there is one-quarter of a billion dollars less than was in the forward estimates in the budget. The math is very simple; nobody contests the math. But members in this Chamber said, "No cuts. Nothing to look at here." This is disappointing. Whether the service is provided by Silverchain or by the Western Sydney Local Health District, how do we provide the same service if we are cutting \$3 million a year? I would love an explanation. The people who are currently receiving community palliative care services would love an explanation. It does not add up and it does not make sense. It does not make sense that in any budget we could target the dying.

Budgets are about decisions, and hard decisions need to be made. In this budget, the wrong decision was made. Let us look at the figures. I take members to the figures again. There was \$650 million in recurrent funding over five years. If we look at the budget papers now we find that that figure is \$401 million. That is just under

one-quarter of a billion dollars less, so that is one-quarter of a billion dollars less in services that are able to be provided to the dying. That is one-quarter of a billion dollars less in every local health district, which had worked out how many new nurses, how many Aboriginal palliative care specialists, how many doctors and how many of whatever was needed to help the dying die well. That has all gone.

It is distressing that this Government cannot say, "Yes, we made this choice." It keeps telling us, "No cuts. Nothing to look at here." It should tell that to the people who are dying today in New South Wales. It is so disappointing that there has been no recognition of the real human impact from these cuts, and that the Minister for Health, who I acknowledge is in the Chamber tonight, cannot rule out that there will be no further cuts to palliative care. This is a terrifying time to die in New South Wales.

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

**Motion agreed to.**

#### *Visitors*

#### **VISITORS**

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** I acknowledge in the public gallery this evening year 12 school leaders from the Davidson electorate with their MP, Matt Cross. They are most welcome this evening.

#### *Bills*

#### **HUMAN TISSUE AMENDMENT (ANTE-MORTEM INTERVENTIONS) BILL 2023**

#### **First Reading**

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

**The Hon. COURTNEY HOUSSOS:** According to standing order, I table a statement of public interest.

**Statement of public interest tabled.**

**The Hon. COURTNEY HOUSSOS:** 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. COURTNEY HOUSSOS:** I move:

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

**Motion agreed to.**

#### *Documents*

#### **CAPTAINS FLAT LEAD CONTAMINATION SITES**

#### **Production of Documents: Order**

**Dr AMANDA COHN (20:27):** I seek the leave of the House to amend private members' business item No. 689 as follows:

- (1) Omit "21 days" and insert instead "28 days".
- (2) Omit "the Department of Planning and Environment" and insert instead "the Department of Climate Change, Energy, the Environment and Water".

**Leave granted.**

**Dr AMANDA COHN:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales, the Minister for Transport, the Department of Regional NSW, the Department of Climate Change, Energy, the Environment and Water, or Transport for NSW relating to sites in and around Captains Flat, Molonglo River and Bungendore:

- (a) all documents relating to the station master's cottage preliminary and detailed site investigations;
- (b) all preliminary or detailed site investigations of the train station or disused rail corridor adjacent to the former Lake George mine;

- (c) all documents relating to the planning and project management of private and public land at legacy mining sites and all proposed containment cells at Captains Flat;
- (d) the following documents, as referenced on the Regional NSW website:
  - (i) Survey and Remediation Action Plan for years 1999 to 2002;
  - (ii) Remediation Action Plan for year 2004;
  - (iii) heritage assessment for years 2005 to 2006;
  - (iv) investigation reports into capping, revegetation design and water treatment options for years 2018 to 2019;
  - (v) bench scale testing analysis for year 2020; and
  - (vi) all documents relating to the stabilisation design of the northern face of the south tailings dump.
- (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 order for papers has arisen from the Portfolio Committee No. 2 - Health inquiry into current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales. The issue of lead contamination is very real and very current for the community in Captains Flat, which I visited last year. Due to dangerous levels of lead in the soil, a preschool was recently closed and relocated. The committee chose not to conduct a site visit to Captains Flat as part of the inquiry. The committee chose not to hear from representatives from the Captains Flat Community Association as witnesses to the inquiry. The committee chose not to hold further hearings regarding the inquiry into that contamination. The Captains Flat Community Association is now quite reasonably asking for some transparency and accountability from the Government into the process of remediation of lead contamination in their area, and I am happy to support them in that.

I will also comment on the Government's process for proactive release of information. I moved an order for papers at about 9.00 p.m. on the last private members' business day on both of these quite unrelated matters. I sought the proactive release of information through the Government's new protocol and had assurances that would happen. Months passed with no contact before I received a partial release of documents on the day that the motion was scheduled for debate in the House. I remind the Government again that the process is not working. I appreciate the commitment to transparency and accountability, and I call on the Government to make sure that the process actually functions. Otherwise, I will continue to move Standing Order 52 motions quite late on private members' day.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (20:30):** The Government will not oppose the Standing Order 52 motion. I understand that several of the requested documents have been provided late today. Notwithstanding that, I acknowledge that the process may not have been as smooth to this point as we all would have liked.

**The Hon. WES FANG (20:30):** On behalf of the Opposition, I indicate that we too will not oppose the motion. I commend Dr Amanda Cohn for bringing this motion forward and indicating to the Government that if it is going to be less transparent than it continues to claim it will be, this House will assert its authority and allow the documents to be caught through the Standing Order 52 process. With that, I conclude my remarks.

**Dr AMANDA COHN (20:31):** In reply: I thank members for their contributions to the debate. I appreciate that the Government's support for the motion is a recommitment to some transparency and accountability, and hopefully we will not be here again.

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

**Motion agreed to.**

#### *Motions*

#### **NEW YEAR'S TEST 2025**

**The Hon. DAMIEN TUDEHOPE (20:32):** I move:

That the House calls on the Government to take all necessary steps to ensure that the New Year's Test remains in Sydney for 2025 and beyond.

I originally sought to move this motion on 7 February this year and, in fact, thought that it would be passed as part of formal business. Perhaps I was a little naive in that expectation, because I would have thought it was the general attitude of this House that support for the Sydney test being held on the New Year's Day weekend is part of the fabric and culture of Sydney. I was shocked and dismayed when an objection was taken by the Hon. Bob

Nanva, who is not in the Chamber. Clearly, some education is to be done there, but he took an objection to taking action to keep the New Year's Test in Sydney.

I anticipate an explanation as to why Government members took the view that they would object to a motion calling for the Government take whatever steps necessary to ensure that the New Year's Test remains here. They will come up with some fictitious story that it was not their decision and that the Sydney Cricket Ground Trust negotiates these things. But the nature of government is this. If I look at the performance of the Minister for Music and the Night-time Economy in promoting various festival events and other cultural events in the city, he does an admirable job. He says, "We will demonstrate that this Government has your back. We think this is such an important contribution to the life of the people of Sydney that we would take whatever steps that are necessary in our power to ensure that the New Year's Test stays here." I have been going to the Sydney test for a long time.

**The Hon. John Graham:** How long?

**The Hon. DAMIEN TUDEHOPE:** Too long, probably.

**The Hon. Rod Roberts:** We don't want to know. Carbon-dated.

**The Hon. DAMIEN TUDEHOPE:** I accept the interjection. I can recall the first test match that I went to see, and Brian Booth scored a hundred. Some members here will not know who Brian Booth was, but he was a fantastic cricketer.

**The Hon. Mark Latham:** He played for St George.

**The Hon. DAMIEN TUDEHOPE:** He played for St George. It was a test match between Australia and the West Indies, and he scored a hundred. I was living in the country and had come up to Sydney. I stayed with my uncle at Vacluse, and I recall catching a bus from Vacluse to the Sydney Cricket Ground by myself. I was a 10-year-old at the time and that was a big event, to catch a bus, and I sat on the hill at the New Year's Test. It is a lasting memory for me, and I continue to go to New Year's Tests regularly as an event. In fact, these days, we join the members' sprint at seven o'clock in the morning to get the most valuable seats at the ground.

There is a really important component of the motion. The life of a city has certain things which are important to it, whether it is a horserace, a sporting event or a music event. Recently we had some singer who attracted lots of people to Homebush stadium. I was not there, but lots of people went to that, and they are important events for the culture of Sydney. Our children will remember them. My granddaughter went and saw that singer, and she will remember that all her life, the same way that I remember going to a cricket test match and I will remember it all my life. To encourage people to support the Sydney test remaining in Sydney is really to say, "Come on, Government. It should be in your DNA to support the people of Sydney and support those cultural events that are so important to us. Don't make excuses why you would not do it. Don't pass the buck to someone else. Get off your backside, say this is important and do it."

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (20:37):** The Leader of the Opposition has made the case for why the House should be debating this motion tonight, because it is so important that we devote the time to make the case that he has just made. Of course, the New Year's Test should be held in Sydney. It is a long tradition, which we hope will continue. It is a tradition that I expect will continue, given the discussions that have been going on with Cricket Australia. Sydney is the traditional home of this test match. In recent years, it has become the home of the Pink Test, and I think that has deepened the city's and the country's appreciation for why it is so important.

I can confirm that the Government is in conversation with Cricket Australia about how we can continue to support it to do two things: Keep the New Year's Test in Sydney but also continue to grow the game. There has been support for it in the past, and there will be support for it in the future. I can confirm that in February the Government made an offer to Cricket Australia to keep the New Year's Test in Sydney. The Government's view is that it would be a huge mistake to move this traditional test match, not just for Sydney but also for test cricket.

There are well-publicised pressures on test cricket, as we look around the world at the moment, and for Cricket Australia to think about moving the New Year's Test to another part of the country would be a real blow to the game itself and to the test cricket traditions that cricket traditionalists have known and loved in the way that the Leader of the Opposition has just described. Imagine if Mike Baird and Cricket Australia took a long walk to another State capital on New Year's Day. Imagine how it would be received by the traditionalists and by the members who participate every year in that members' race that has just been described. That is at stake if it goes wrong—not just for the State but for Cricket Australia and for test cricket around the world, frankly.

It is not the time to make a mistake. The Government takes the matter seriously. Cricket Australia has come to us asking for financial support—not for a new offering and not to grow the game but simply to do what



it has done every year in spectacular style: run the New Year's Test in Sydney. We would like to put the money into growing the game, frankly, but we take the offer seriously and we have engaged seriously. We will be working with Cricket Australia. At this point I am confident that those discussions have gone well, partly on the back of the significant money we have invested into cricket, including \$47.5 million for the new Cricket Central facility at Wilson Park, Sydney Olympic Park; and \$95 million in cricket-related programs from 2016-17 to March 2023. That is the record. But we look forward to further discussion in this area. I am glad the member moved the motion.

**The Hon. MARK LATHAM (20:40):** I support the motion and join other members in pointing out that the New Year's Test is as Sydney as the Opera House, the Harbour Bridge or a Saturday afternoon punch-up at the Green Valley Hotel. It is a wonderful cultural institution in Sydney that should never be tampered with, but there has been a frustration among those at Cricket Australia when dealing with this Government. The Government is very keen to shower the National Rugby League with money to keep the grand final in Sydney. It is also throwing some money around in dealings with other sporting organisations. So perhaps the best thing for Cricket Australia to do to keep the New Year's Test in Sydney is make it an unsolicited proposal. That will gain automatic favour with the Government. Imagine how many apartment towers you could have on the hallowed turf of the Sydney Cricket Ground. I join the Leader of the Opposition in saying what a wonderful sporting institution the SCG is. I agree with Rodney Cavalier: It is our cathedral of cricket. It is a sacred site in its own right and there are so many wonderful features around the ground.

I was not there with the Leader of the Opposition to watch Trumper and Macartney and Jack Gregory back in the day. I only got to the ground in 1973 for the test against Pakistan, which I watched on the hill. I still lament the passing of the hill, which was such a wonderful place to view the game for larrikins. All we have these days is that statue of Yabba, the great barracker, out the front. I did rise above the hill at one stage and had an invitation to the trust box and took my son, Oliver, with me, who described it as the very best place on the planet. It is nirvana for a young man who loves sport. He cannot believe that there is a place like the SCG Trust box, which should be on rotation. They should raffle it out in a lottery so that some poor old punter from Bankstown or Mount Druitt can get a slot there. We made it there for a couple of days.

Whether you are on the Trumper stand with memories of the old hill or you are in the trust box or you are racing there with the other geriatrics to get a seat in the members' stand, it is such a wonderful Sydney institution and nothing should be changed in that regard. I wish the Government well in dealing with Mike Baird. He is an unusual sporting administrator. Having closed down one wonderful sport—greyhounds—he then landed as the chair of another sport. He is quite on the rebound himself. It is quite a transformation in his sporting administration. The New Year's Test should stay. During estimates the great sports Minister, Steve Kamper, came under heavy fire from the Hon. Wes Fang over his attendance of sporting events—such an unusual thing for a sporting Minister to go to a sporting event.

**The Hon. Wes Fang:** He'll continue to give tickets to everyone.

**The Hon. MARK LATHAM:** There's the interjection, of course. Steve withstood the fire, and I was greatly heartened that he said that he, too, like the Hon. John Graham, is a supporter of keeping the New Year's Test in Sydney, where it should be.

**The Hon. ROD ROBERTS (20:43):** I have a short contribution. Minister Graham would know my interest in this matter because we canvassed it at budget estimates. Unlike the Hon. Damien Tudehope, who stayed at Vaucluse and did the members' sprint, I got on the red rattler at Punchbowl—

**The Hon. Damien Tudehope:** I was on the hill, mate.

**The Hon. ROD ROBERTS:** You said the members' sprint.

**The Hon. Damien Tudehope:** Now I do it.

**The Hon. ROD ROBERTS:** How the mighty have risen. I got on the red rattler train at Punchbowl as a young kid and went to the cricket. Those who are old enough will remember the red rattlers. It was a coming of age, to be honest—your first time out as a young teenager allowed to travel to the city. It gives me great memories. But I am concerned about the New Year's Test and I urge the Government to engage in good-faith, robust discussions. The Minister says there are discussions taking place. I remind members about the National Rugby League. I am aware that the Government has supported the NRL to hold the grand final in Sydney. It is taxpayers' money, by the way, but it is all commercial in confidence so they are not told where it goes. I remind members that the same NRL has just spent \$20 million on the 81-room Mercure Kawana Waters hotel on the Gold Coast in addition to its \$20 million purchase of the Quest hotel at Sydney's Woollooware. On top of that it paid \$30 million for the Gambaro Hotel beside Suncorp Stadium. I congratulate the NRL. That is good work if it can afford those.

The Government is prepared to pay money to the NRL, which clearly has no shortage of money. The same Government supported the Ultimate Fighting Championship. My colleague Mark Latham and I supported that in this House under barrage from the Opposition—well, it was not really a barrage; it was a lettuce leaf attack by the Opposition. We could see the value that the tourism could bring the State. The Hon. John Graham said that Cricket Australia has asked for money to continue doing what it is doing, not to grow the game. I point out that the Indian diaspora is almost the largest diaspora in New South Wales. When the Indians come to play the test at the SCG next year, I guarantee it will be a sellout. It is probably already a sellout.

That is how you grow the game: by bringing spectators in. Young kids will be able to see and worship their idols and will emulate them on the streets of Bankstown, Green Valley or Campbelltown—on the street because they do not have a pitch but they will have a go anyway. That is how you do it. I encourage the Government to consider that. I remind members that the Government paid, again, millions to the A-League for the Unite Round. That is one night. A test match goes for five days. It brings tourists from the country. The Leader of the Opposition said that, when he was a young fellow, he came down— [Time expired.]

**The Hon. EMILY SUVAAL (20:46):** It will not come as a great surprise to people that I have not been a keen follower of the New Year's Test. However, my earliest memories were of observing my father watch it and wondering why on earth he would sit still for that long. I did manage to watch my first New Year's Test five years ago when I had a newborn and I was stuck at home and it was really hot. There was not much else to do. I remember that quite vividly and it will stay with me, because I have never watched so much cricket and possibly never will again.

I draw members' attention to some of the values of the sport and our local cricket clubs. Honourable members may not know that last year the episode "Cricket" was officially voted people's favourite *Bluey* episode by 50,000 votes. I encourage all members to watch it. It is only seven minutes. They will not regret it. In true *Bluey* fashion, it pulls on all of the heartstrings. But it sums up what cricket is. It is just magnificent. The character that it centres around, Rusty, is one of my favourite characters in *Bluey*. I have watched a lot of *Bluey*. I have two small children and admittedly enjoy watching it. But the cricket episode won the number one spot arguably because it appeals to parents like me so much and because it has so much relatability. Images of Rusty batting a ball up against a wall and hitting mum's kitchen window and getting in trouble—he is a remarkable character.

That really sums up what the game means to us in Australia, but also what it means to our families. It is quintessentially Australian. That episode evokes memories in a lot of parents. I implore all honourable members to watch it; they will not regret it. It is seven minutes of your life. I can also recommend many other *Bluey* episodes. My other favourite is "Takeaway". I could go on about the stories behind that. Cricket is wonderful. I do not oppose the motion. I commend it to the House.

**The Hon. SCOTT FARLOW (20:49):** I too support the motion. This is a little bit different to earlier in the day when we may have been supporting something and the Hon. Chris Rath remarked that we did so angrily. There is no anger tonight, even when somebody thought they were opposing the motion. We are all in unison, standing up for the New Year's Test. I too have watched the episode "Cricket" of *Bluey* on several occasions. It is one my wife likes to show people, including international visitors, as a good citing of what cricket is. The New Year's Test is firmly in all of our hearts. We all have our stories of our first test. Mine was a game in 1992 against the Windies when the Windies were a wonderful team. It ended in a draw. We were on the hill. I did not see much of the cricket that day, but I saw a lot of other things on the hill as an eight-year-old or nine-year-old. I think there was a stalker. There were people who may have fainted and I think I got sunstroke from the experience.

We went back the next year and my dad got tickets at the back of the Brewongle Stand. South Africa beat Australia by five runs and we were relying on Glenn McGrath. It was "Ooh, ahh, Glenn McGrath"! I do not think Glenn McGrath had ever scored more than maybe two or three runs and, unfortunately, he did disappoint everyone that day. We went home very sad because Australia lost the game by five runs. But we did get to see a wonderful innings from Jonty Rhodes from South Africa. The New Year's Test holds a dear place in all of our hearts. It would be sacrilege to suggest the Boxing Day Test be moved from Melbourne and I do not think Cricket Australia will be considering that. It should have the same view about the New Year's Test staying in Sydney.

It is quite right to talk about all of the people who come from the country. I know family of ours who come from the country every year to watch the test. People come from overseas to be part of the hallowed turf of the Sydney Cricket Ground [SCG] to watch the game. The Hon. Rod Roberts is right to talk about the subcontinent and the diaspora here. People from India and the subcontinent aspire to come to Australia. Last year I was in India and when we said we were from Australia, the next question from every person was about Steve Smith. They just love cricket and they love the SCG. When we said we came from Sydney, they wanted to talk about the SCG. It may not be right and it may not be growing the game, but New South Wales needs to do whatever it can to secure

the New Year's Test. Cricket Australia should ensure—and I implore our former boss in this place, Mike Baird, to ensure—that we keep the New Year's Test in Sydney because it is part of Sydney's heart.

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** I too was at that 1992 test.

**The Hon. CAMERON MURPHY (20:53):** I was not going to speak about this motion but I was moved by the contributions. Sydney has to keep the New Year's Test. It is an absolute institution. I will not go through and repeat things that other members have said. I have my own fond memories of going there. For me, it was later in life with friends mostly in the Labor Party.

**The Hon. Mark Latham:** Kicked out.

**The Hon. CAMERON MURPHY:** I have not been kicked out. I was never a streaker. I never went with Meredith Burgmann so there were no protests involved or anything like that. What I want to say in my very short contribution is that for those of us who were lucky enough to have been subscribers to the famous *Southern Highlands Newsletter* of the Southern Highlands branch of the Labor Party, people may know that in every issue there was a very long section written by Rodney Cavalier about all things cricket. There would always be a wrap-up of the New Year's Test in Sydney in that newsletter. In many issues, it was so long that it took longer to read than it would have taken to sit through the five days of the test. Every little bit of it was analysed to the nth degree by Rodney because of his love of cricket. Not only that, but there would be pull-outs with all manner of historical things cricket that we could read into whatever had happened in the match. That is just a sign of the importance of cricket to the people of New South Wales. It is also in the DNA of the Labor Party. People love this sport and we are going to fight and do absolutely everything we can to make sure that the New Year's Test stays in Sydney. That is why we support the motion.

**The Hon. DAMIEN TUDEHOPE (20:55):** In reply: I thank all the members who made a contribution to the debate—the Hon. John Graham, the Hon. Mark Latham, the Hon. Rod Roberts, the Hon. Emily Suvaal, the Hon. Scott Farlow and the Hon. Cameron Murphy—and even Madam Deputy President, who made a small contribution. All of us have stories to tell. The tone of the debate indicates the level of support that cricket and certainly this test match have. But there is a serious side to this debate: Why did this arise at all? Why did this issue come to the consciousness certainly of me and of a lot of those surrounding cricket? It may be a debate around whether we should move this test match from Sydney. Certainly some of the discussion involves climate change and the weather in Sydney. There are those who suggest that sometimes around New Year's Day we do not get the most favourable weather. If we did a historical analysis of that, it would be found to be untrue. Some of the great test matches have been played over that period. It is fundamentally untrue to say that we would ever move the test because of climate conditions.

But the real problem, as identified by the Hon. Rod Roberts, is fundamentally that sometimes we have to put dollars in to make sure that it happens. That is where Government comes in. It should be prepared to say that the test is something it would be prepared to fund. If we are prepared to fund the NRL, as the Hon. Rod Roberts rightly suggested, it would be scandalous not to support Cricket Australia in ensuring that this test match is retained in Sydney. The McGrath Pink Test has evolved over time. As many members have suggested, it is a time when country families make the pilgrimage to Sydney for the test in the same way that people make the pilgrimage to the MCG for the Boxing Day Test. These are fundamental things that we, as a society and as a government, should be backing in. To the extent that governments have a role to play, I ask the Government to represent all the people of the State and do what is in its power to ensure that this test stays in Sydney.

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

**Motion agreed to.**

## ROAD TOLLS

**The Hon. Dr SARAH KAINE (20:59):** On behalf of the Hon. Bob Nanva: I move:

That this House:

- (a) condemns the previous Liberal-Nationals Government's obsession with privatisation and sell-offs that made Sydney the most tolled city in the world;
- (b) notes that the previous Government signed secret contracts locking motorists into at least 4 per cent yearly toll increases, with all proceeds going to the private operator; and
- (c) supports the \$60 weekly toll cap to help families tackle the rising cost of living. I note that the motion was added to the *Notice Paper* over a month before the release of the *Independent Toll Review Interim Report*, but much of the discussion in the report released this week is directly relevant. In particular, the interim report notes that tolls are too expensive and that toll increases are locked in for decades without options for review. In the case of WestConnex, those increases are at a minimum of 4 per cent, or the CPI if that is greater. I remind members that the WestConnex includes the M4, the M5 East, the M8 and the M4-M8 link and Rozelle interchange—the largest chunk of our tolling system.

To give a sense of that scale, this is a series of tolls that yielded \$648 million in revenue in the 2022-23 financial year. Not surprisingly, then, the report confirms a wider perception of too much control by toll companies and finds their rate of return has been "generous", as they are based on historical rates that do not adjust to changing market conditions. The report also notes:

The approach to setting tolls has been influenced more by the perceived need to cover the concessionaire's financing costs than by the need to manage traffic on the roads. It has also not had a strong regard to principles of efficiency and fairness in setting individual tolls.

Let us consider that last sentence. The lack of concern for fairness is not all that surprising to Government members. The former Government displayed scant regard for fairness, as evidenced through the unfair wages cap on essential public sector workers and the pork-barrelling to Coalition electorates, to name just a few examples. But what is surprising is the lack of regard for the principles of efficiency, the concept that underpins every argument about privatisation. This is evidence in technicolour that the former Liberal-Nationals Government was not pursuing an economically rational agenda but rather an ideological one, in which public asset equals bad and private asset—no matter what the current or future cost—equals good, and sensible management of traffic be damned.

As a government we inherited the most tolled city in the country, if not the world, and a system of tolls that has baked inefficiency into our road transport network. But this Labor Government is determined to do what it can to unravel the mess and, in the meantime, help drivers manage costs that they have been left to bear. To ease the cost-of-living impact of tolls, this Government has introduced an important measure, which members have spoken about in this House before: a \$60 weekly toll cap, which began on 1 January. As I have said previously, this is where the rubber hits the road for supporting cost-of-living measures for the people of New South Wales, particularly for the people of Western Sydney. The interim report expressly talks about the disproportional impact of tolls on the people of Western Sydney and the types of social implications that has.

The \$60 weekly toll cap is a rebate that is set to benefit over 700,000 toll account holders. Private motorists with a New South Wales toll account are eligible to claim the toll cap. I encourage everyone to link their toll account to their MyServiceNSW account to take advantage of this cost-of-living measure while we think about what else needs to be done. Members heard from the Minister this morning in question time that the Government is taking this very seriously but that it will take a dedicated effort to unravel the mess we have been left. However, in the meantime people can take advantage of that \$60 toll cap. I commend the motion to the House.

**The Hon. DAMIEN TUDEHOPE (21:03):** The Opposition opposes this motion. We have talked a lot about tolls today and we have the benefit of the interim report. The roads Minister today gave members quite an explanation as to what it contains, and there are a number of things it does contain. The first is an acknowledgement of the importance of public-private partnerships in delivering road infrastructure. In fact, Allan Fels says it is an important component of delivering that infrastructure. We would not have the WestConnex today under this Government.

The Coalition has delivered an important piece of infrastructure for the people of Sydney. Yes, I will say to the Hon. Dr Sarah Kaine, it is ideological. I will tell her what the ideology is: The ideology is families. We want to see families get home to their loved ones earlier every day. Under Labor governments, day after day we were confining people to their cars in congestion and depriving them of hours with their families. That is the ideology that drove the former Government to ensure it delivered a proper road system for this State. Under Labor governments we would not have that piece of infrastructure. All those roads that have had reduced congestion—Victoria Road, Parramatta Road and Tom Uglys Bridge—do so because we were able to deliver important infrastructure to improve the lives of the people of Sydney.

What does Allan Fels say about the \$60 toll cap trumpeted by those opposite? He would abolish it. In fact, he says the concessions given on tolling should be removed because all they do is increase the amount of traffic on those tollways. The benefit does not flow to the people who should be getting the benefit; it is flowing to the actual toll provider because it is getting increased traffic movements on those roads. The Minister had his opportunity in this House today to adopt some of the specific proposals, or rule things out and rule things in. What did he do? He squibbed it. Rather than do something, he prefers to talk about it. That is what Labor does: It talks; it never acts.

**The Hon. MARK LATHAM (21:06):** I have had a look at the Fels report and I doubt there is anything there the Government will act on. It is bit like the GST distribution: If you create some winners, you will create some losers because the long-term toll road contracts are all set. If the Government went to this universal, Sydney-wide structure that is spoken of as the major reform, people in the outlying suburbs would win and those in the inner areas would lose. It is a very difficult reform in that regard.

I think what the Government has done with the toll cap is probably the most sensible thing to do. Maybe it can be reduced over time as a further cost-of-living relief measure. However, I do not see a lot in the Fels report that can be acted on. I assume the Government will not be in the business of two-way tolling north and south, as suggested today in the barrage of questions by the Opposition. One thing members need to consider is whether too much "toll mania" has come to this Chamber. Listening to the debate, it is almost like the tollways are the only roads in Sydney or the only roads that anyone cares about. In fact, the worst congestion and inconvenience problems are away from the tolls.

The roads Minister would only need to look at Narellan Road—which Mr Assistant President knows well as a former member for Camden. At 7.45 a.m. on Narellan Road in the south-west there are cars banked up for two kilometres trying to turn left onto the M5, where drivers then have the pleasure of paying the toll. That inconvenience is a product of poor planning. The fact that there are so few road links running east-west between the large north-south corridor in the residential area in Campbelltown and the large north-south corridor in Camden is evidence that while tolls are important, good road planning is even more important. If you get the planning wrong it has decades-long consequences for commuters and all that inconvenience such as time away from family, being late to work and so forth.

That drivers jam up for kilometres on Narellan Road, so far from the city centre, trying to turn left onto the M5 heading north is an indictment on the bad planning that has occurred in south-west Sydney. It also highlights the need to expedite the extension of Liz Kernohan Drive. I ask the Minister whether that is going over to the M5. That is the most urgent thing. Forget about toll mania; the Government needs to help commuters in south-west Sydney by building that extension. Another way to access the M5 is absolutely critical.

I ask for a bit of balance in the debate. I do not think the Fels report is going any great distance in terms of what the Government is planning to do. Members can see the reticence of the Minister in how he is dealing with it. The toll cap is a good reform, but members should recognise that while tolls are politically potent, tollways are not the only roads in Sydney. There are many more problems to be fixed urgently by this Government.

**The Hon. MARK BUTTIGIEG (21:09):** I have to hand it to those opposite for sometimes being intellectually consistent. The Leader of the Opposition doubled down on their emblematic ideology, which is privatisation—sell anything in sight at any cost. His words were, "It's the ideology of fairness." It has to be questioned how \$123 billion of taxpayers' money locked into tolls until 2060 is fair for the public.

**The Hon. Damien Tudehope:** But I didn't say that. I didn't say "fair"; I said "families".

**The Hon. MARK BUTTIGIEG:** I thought the Hon. Damien Tudehope said "fairness".

**The Hon. Damien Tudehope:** No, it's the ideology of families.

**The Hon. MARK BUTTIGIEG:** The Hon. Damien Tudehope said it is the ideology of families. I acknowledge the interjection. We are meant to believe that \$123 billion of tolls in the future until 2060 will benefit working families. Eleven of the 13 roads are tolled with 10 different contracts. The postulate is that if the former Government did not sign these dodgy contracts, which have put the New South Wales taxpayer on the hook to pay for tolls on roads that should have been theirs, we would not have the infrastructure. This Government's response to that is that if it comes at such a heavy cost to road users—which feeds into people's day-to-day ability to commute to work, feed their families and go to the shops—maybe the former Government should not have signed the contracts. If it could not negotiate a contract on fair and just terms that benefitted the people it represented and gave them value for money, it should not have done it.

The Government now has to unravel this series of contracts that stitch up New South Wales until 2060—contracts which the Minister for Roads constantly exposed in opposition during the last Parliament and on which Labor campaigned every day during the last election. In electorates like Leppington, Camden and to a lesser extent Heathcote—all of which Labor won—these issues resonated on the doorstep every day. The Government's short-term \$60 toll cap and rebate levy for heavy vehicle drivers is an interim measure until we can digest the Fels report and decide exactly what we are going to do. Those opposite doubling down on the failed ideology of outsourcing a public good to the private sector, on the basis that if it was not done we would not have the roads, is a total false economy.

**Ms CATE FAEHRMANN (21:12):** As The Greens spokesperson on roads I support the motion. The Coalition has a shameful record of sell-offs and privatisation of public works. As we all know, Sydney's tolling regime has reached outrageous levels, making our city one of the most heavily tolled in the world. Western Sydney residents in particular bear much of the brunt of cost-of-living pressures like road tolls. This is not a record that any government should be proud of. The underhand tactics employed by the Coalition involved signing secret contracts with private operators, largely Transurban, locking motorists into a decades-long schedule of toll

increases, restricting the ability to make travel around this city more efficient, affordable and accessible, and driving revenue and profit from the public to Transurban.

The independent toll review by Professor Allan Fels and Dr David Cousins released this week shows that motorists are predicted to pay \$195 billion in tolls by 2060, with more than half this figure coming from tolls from the WestConnex network. WestConnex was promised by the former Government as a way of reducing traffic congestion and cutting driving times from the western suburbs to the CBD and the airport. The people of Western Sydney are already suffering from an appalling lack of public transport services and are then made to pay for the privilege of WestConnex because they have no choice but to use those toll roads. We are learning from the transient road use that motorists are avoiding these toll roads and instead opting for congested, untolled roads because the tolls for accessing motorways like WestConnex are simply too high.

In signalling my support for the motion, it is important not to forget that Labor also has a shameful record of entering into public-private partnerships to build motorways and then slugging drivers for them over many decades. Before 2011 Labor also entered into a number of secretive contracts with Transurban, including the Eastern Distributor, the Cross City Tunnel, the Westlink M7 motorway, the Lane Cove Tunnel and the widening at the beginning of the WestConnex M4. These toll roads are operated by private companies under long-term concession agreements—all highly secretive—with both this Government and the former Government.

While something had to be done to alleviate the cost-of-living pressures being faced by families across Sydney, let us remember that a \$60 weekly toll cap is just a massive transfer of public money to Transurban. Frankly, if Labor had been in government for the 12 years the Coalition was, I doubt there would be any fewer tollways in this State. I reckon it would have done pretty much the same thing because the same companies, the same vested interests, were recommending to both governments to build these tollways and the governments, the public service and the Ministers have bent over backwards and done it. The Greens support the motion, but Labor cannot pretend to be the saviour of Sydney when it comes to tolls because it was just as bad.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (21:15):** I will put a couple of views on the record. I have spoken on tolls a few times today, only under gentle questioning from those opposite. I will make a point about the case that has been made about the economic impact that the 13 financial deals, each of them done independently, are having on the city and the State. At the heart of the problem are two sets of deals that received heavy criticism on the same basis. The privatisation of the Port of Newcastle received the same critique where, to get a better price for New South Wales, restrictions were imposed that caused massive economic damage to the north-west of the State. It is a similar case with these 13 deals, some of which were Labor deals, but the biggest of them and the one that has received the real criticism is the WestConnex deal and the economic damage its tolls will do over the long term.

The city will end up more divided and more congested with freight moving around at greater expense. An example of one of the challenges, which I spoke about briefly before, is whether we can separate the freight and commuter networks. Because of the way that heavy vehicle drivers now have to move around and their fatigue requirements, they are sleeping outside of Sydney and moving into the city at the same time as people are trying to get to work or get the kids to school. They are all clashing at the same time on the road network. That is incredibly inefficient for the city and it is making it lot harder for ordinary people to live their lives than it should be. The Government cannot change that without reforming these contracts. We cannot move to time-of-day tolling for the freight network to make it cheaper to run at night without reforming these toll contracts. That is a big economic reform agenda.

This could have a really big impact for commuters, and it could also make packages cheaper to deliver. It does today, but by 2060 this will certainly have a big economic impact. Driving down cost-of-living pressures cannot be done with these contracts, which is one of the reasons they have to be changed. Public transport users who never go on a toll road would also benefit from that because Amazon deliveries will get to people's houses more cheaply. That is very much the case for the economic prize here. It is also about non-toll roads. The Hon. Mark Latham was right: Toll roads are pushing people onto non-toll roads like Narellan Road because the prices are not right. Those are the reasons the Government should be looking at this as a serious reform problem, and I commend Matt Wade's article in today's *Sydney Morning Herald* making exactly that case.

**Ms ABIGAIL BOYD (21:18):** I contribute briefly to this debate as The Greens Treasury spokesperson. I fully endorse everything that my colleague Ms Cate Faehrmann expressed as our transport spokesperson. I have had a longstanding interest in this issue since chairing the tolls inquiry, which looked deeply into what was known about these tolls contracts at the time. It is great that at least David Cousins and Allan Fels have seen these contracts, presumably, and we also have an interim report with some strong recommendations.

I want to know when we are going to see the contracts, which was a Labor election commitment. I raised it during budget estimates because in the statements that are now being made, there are comments about ports and electricity assets, but it is like we have forgotten that Labor had committed to release the tolling contracts. The Greens had long suspected that they had buried in them these prohibitive covenants that would stop the Government from doing certain things if it did not pay money to Transurban and its various consortiums. It appears from the report that that is indeed the case. I want to see them. I do not think that it is unreasonable for the public to see exactly what the previous Government got us into and the pickle that we are now in, because unpickling this mess with Transurban and the various consortiums is going to be incredibly tricky. I hope that the Labor Government involves the public in a broader discussion when deciding exactly how to go about repairing the mess that we have been left with by the Coalition Government.

An article by Jenna Price in *The Sydney Morning Herald* yesterday proposed what I think she thought was a radical idea but is something that The Greens have long proposed—that we renationalise some of these failed privatisation attempts. We are now putting significant amounts of money into the pockets of Transurban via toll relief. If we were to take that money and instead apply it to lance this boil once and for all, we could take these roads back into public hands and not be faced with this unenviable position again.

**The Hon. EMILY SUVAAL (21:21):** I support this motion and acknowledge my colleague the Hon. Dr Sarah Kaine for moving it. She has long had a keen interest in this issue and particularly the impacts on the freight industry. The toll relief that the Government is providing is part of a suite of measures that we are introducing to address the cost of living, which is the number one issue facing households in New South Wales today. We have talked extensively about the impact of toll roads on Western Sydney, but I remind honourable members that a lot of people from the north, including from where I live on the Central Coast, are also impacted by toll roads as they come down to Sydney.

A lot of people from the Central Coast areas and further up in the Hunter now work in and commute to Sydney. A lot of people moved up to these areas during the COVID era and beforehand. Those people are paying exorbitant sums if they choose to use NorthConnex, the M2, the Lane Cove Tunnel and then the Harbour Bridge or Harbour Tunnel. There are four tolls to come from the north, particularly if you are then heading south to the other side of Sydney, such as the airport or, indeed, the head office of the Nurses and Midwives' Association, which is based in Waterloo, as I would know. If you want to avoid the tolls, you are forced onto the Pacific Highway. As honourable members have talked about, that has become an increasingly congested road, which I am sure the local people at Wahroonga are quite upset about—but that is another matter entirely.

The Government's introduction of the weekly toll cap is an important interim measure that will benefit 700,000 motorists. It is an important cost-of-living measure for families. We have also reduced the truck multiplier from three to two on the M5 East and the M8. As the Minister mentioned, freight moves around on our toll network at a greater expense and this cost is borne by our communities. Again, that impacts the hip pockets of families that are doing it tough in New South Wales, particularly at this time. It is another measure to address the situation that we are left with. The toll relief program is the first step; the Government is doing a number of other things. I commend the Minister for his work in this space.

**The Hon. CAMERON MURPHY (21:24):** This is an important issue, and I thank the Hon. Bob Nanva for giving notice of the motion and the Hon. Dr Sarah Kaine for moving it. This is the most complex of problems, left to the Government to try to unpick because of the privatisation agenda of the Liberals and The Nationals. Hand in hand, they supported it every step of the way, creating one of the most complex networks of privatised toll roads in the world, in our largest and most important city, and made it so expensive for ordinary families to get around from one end of the city to the other.

I listened carefully to the debate and heard the interjections from the Leader of the Opposition, saying, "We did this for families. We needed the public-private partnerships to make sure that we could have this infrastructure and to build it in the first place." Well, there is not much point in having a gold-plated road network that no member of an ordinary family in Sydney can access, particularly in the cost-of-living crisis that we are in at the moment. Every day we see people going out of their way to avoid toll roads because they are just too expensive. The Fels report tells us how expensive they are. The ordinary people of Sydney are going to be gouged \$195 billion for using these toll roads and virtually half of that will come out of one road, the WestConnex. At the very least, that demonstrates the incapacity of the former Government to negotiate properly on behalf of the taxpayers of New South Wales.

You could not imagine any sensible person coming up with a worse deal on toll roads than that. The taxpayers who use these roads are going to have to pay for the cost of building the road over and over again until 2060. They are going to pay the value of these roads six or seven times through the tolls. That is not coming to the State; it is going to private companies that will be gouging during that period. It is a rotten system. I do not envy the Minister having to unpick this, but he is capable of doing it. He will take his time to consider the report

and think through these issues in detail to come up with an appropriate response and ensure that there is fairness and fairness of access to these roads for the people of Sydney in the future.

**The Hon. Dr SARAH KAINE (21:28):** On behalf of the Hon. Bob Nanva: In reply: I thank all of the speakers for their contributions. I must confess that I am confused about how to reconcile the Hon. Damien Tudehope's comments about toll roads being in the pursuit of an ideology of family with the fact that a great number of families cannot afford to use the very roads that apparently they are meant to be extremely grateful for. To the Hon. Mark Latham, who worried that the Government would not be implementing any of the recommendations of the report because there might be winners and losers, I say that there are already winners and losers in this. In fact, the report, as I mentioned, is clear that the people of Western Sydney have indeed been the losers in the creation of this network so far. The Hon. Mark Buttigieg drew attention to the \$123 billion burden that will be paid by us and our children in the future as a result of, particularly, the large WestConnex tolling system.

I thank Ms Cate Faehrmann for calling out secret contracts with the likes of Transurban, which controls a vast amount—over 50 per cent ownership—across the network. I particularly thank Minister John Graham for highlighting the challenges faced by heavy vehicle drivers who have to negotiate the demands of their clients while trying to manage the cost of road tolls and the safety implications of trying to go down non-tolled roads. I thank the Minister for also noting that we need to be very considered in making reforms that might particularly assist freight movement, and consider differential tolling by time of day. All those things must be part of a considered package going forward.

I thank Ms Abigail Boyd for sharing her experience of chairing the inquiry into tolls that took place a couple of years ago and the Hon. Emily Suvaal for reminding us that it is not just people in certain parts of Sydney but also those on the Central Coast and other places who are affected as they go about their daily commute. I thank the Hon. Cameron Murphy who noted—I like this phrase—that it is not worth having a gold-plated road network if many families cannot afford to use it. I commend the motion to the House.

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

**Motion agreed to.**

#### *Bills*

### **ELECTORAL FUNDING AMENDMENT (LOCAL GOVERNMENT ELECTORAL EXPENDITURE CAPS) BILL 2024**

### **ENVIRONMENTAL LEGISLATION AMENDMENT (HAZARDOUS CHEMICALS) BILL 2024**

#### **Returned**

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I report receipt of messages from the Legislative Assembly returning the bills without amendment.

#### *Motions*

### **NORTH AND NORTH-WEST NEW SOUTH WALES INFRASTRUCTURE PROJECTS**

**The Hon. AILEEN MacDONALD (21:32):** I move:

- (1) That this House condemns the Minns Labor Government for being missing in action when it comes to the people of rural and regional New South Wales.
- (2) That this House notes that major infrastructure projects that would improve safety and productivity in north and north-west New South Wales have been cut by the Minns and Albanese Labor governments.
- (3) That this House notes that the following projects from north and north-west New South Wales have been cancelled:
  - (a) the Bruxner Highway, Wollongbar to Goonellabah, Lismore;
  - (b) Gwydir Highway improvements planning, Northern Tablelands;
  - (c) Northern NSW Inland Port, Narrabri to Barwon;
  - (d) Oxley Highway stage two planning, Port Macquarie; and
  - (e) Toowoomba to Seymour, New South Wales, Moree Intermodal Overpass, Northern Tablelands.
- (4) That this House calls on Premier Minns to explain to the people of the north and north-west New South Wales how he will find a way to fund these key projects.
- (5) That this House notes the cutting of these key projects will mean the loss of jobs and add more cost-of-living pressures to families in the north and north-west New South Wales.



This is the first time I have been able to move a private member's business motion because usually mine are so far down the list that they never get here. I bumped into the Minister for Regional Transport and Roads and she said, "I hear you're going to condemn our Government" and I said, "No, we won't get there"—but here I am! I am going for it. I condemn the Minns Labor Government for being missing in action when it comes to the people of regional and rural New South Wales. Together with the Albanese Federal Labor Government, it has turned its back on us by cutting funding to 17 major infrastructure projects in New South Wales that would create jobs and improve safety and productivity.

The fact is that the brutal overhaul of the Commonwealth's \$120 billion infrastructure pipeline will cut funding for 50 road, car park and rail projects across the country. Here in New South Wales, we are the worst hit. The Federal Government has turned its back on us by cutting funding for 17 major infrastructure projects. My immediate concern is for the funding cuts to five major projects in northern and north-western New South Wales, and I will outline just a few: the Bruxner Highway, Wollongbar to Goonellabah in the Lismore electorate; the Gwydir Highway improvements in the Northern Tablelands; the Northern NSW Inland Port in Narrabri in the Barwon electorate; the Oxley Highway stage two in the Port Macquarie electorate; and, of course, Toowoomba to Seymour, the Moree Intermodal Overpass, again in Northern Tablelands.

I call on the Premier to explain to the people of northern and north-western New South Wales how he will find a way to fund those key projects for the people I represent. They are important legacy projects. When they come to a sudden stop, the cuts will cost thousands of regional jobs. The callous decision to cut this funding will also add to the cost-of-living pressures in the north and north-west and hamper our ability to get our goods to market. This is beyond disappointing. It is a dagger in the heart of our future prosperity.

Is the Premier not aware that we, in the north and north-west of the State, are critical drivers of the New South Wales primary industry economy? The project cuts mean consumers right across the State will pay higher prices at the supermarket checkout. Does the Premier not realise that if we do not have the arterials, we cannot get our produce to the plate? We are in a cost-of-living crisis where food prices are going through the roof and this Labor Government wants to save money in the short term by cutting long-term access routes to food and fibre.

Premier Minns has let down the people of rural and regional New South Wales. He refused to stand up to Anthony Albanese and the Federal Labor Government, and he has no answers for the people of New South Wales on how he will find a way to fund these key projects. The cuts hit not just residents but also tourists and businesses. Those significant upgrades are needed to provide a safer and more reliable journey for residents, commuters and freight operators. They are major infrastructure projects that were designed to improve safety and productivity in northern and north-western New South Wales. But now we are left hanging. The fact is that this Premier and this Labor Government are too Sydney-centric. When it comes to rural and regional New South Wales, the Minns Labor Government has gone missing in action.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (21:36):** I thank the member for moving this motion and congratulate her on winning the arm wrestle to get it on to the agenda.

**The Hon. Sarah Mitchell:** Remember the chook lotto?

**The Hon. JOHN GRAHAM:** Indeed. The modern version has now been won. The Government opposes the motion. Two ideas sit behind the motion, one of which I am more sympathetic to than the other. One is where we are up to with the Federal review and the discussion about infrastructure funding for New South Wales, on which I will provide an update for the House. The second is a wideranging and, in my view, totally incorrect view about a part of the State being neglected or regional infrastructure being neglected. I do not accept that at all.

Firstly, the New South Wales Government accepts that the Federal Government has a right to review its own infrastructure pipeline. That is absolutely up to them, as it is for us in New South Wales to review ours. We both have that right. There were concerns expressed federally—although I am not making that case here—that some of the projects were pork-barrelling projects: They were the start of the job, but they did not have serious money to actually get built. None of the projects that are named in the motion were fully funded. That concern led to some projects in New South Wales being cut. The Premier has been very vocal about that, as have I been.

The clash between the State and Federal governments on infrastructure funding and the needs of New South Wales has not been resolved yet. There is a good discussion. The State funding that has been withdrawn in each State is reserved for that State, so I am confident that we can work a way through, but it has not happened. The member is on the right track to ask the questions in this motion. I strongly disagree that there has not been support for the regions, whether it is the Coffs Harbour bypass, the M1 extension to Raymond Terrace, the Parkes bypass or the New Dubbo Bridge. Many of the other projects underway—

**The Hon. Sarah Mitchell:** They're all our projects.

**The Hon. JOHN GRAHAM:** That we've kept building. Infrastructure takes time.

**The Hon. Sarah Mitchell:** Yes, but you didn't start them or fund them. Don't claim them.

**The Hon. JOHN GRAHAM:** One thing we started, after the total neglect of regional roads, is \$390 million into the Regional Emergency Road Repair Fund to fix potholes across regional New South Wales—out the door straightaway. It is much more funding than was provided under the former Government.

**The Hon. Sarah Mitchell:** No, it's not.

**The Hon. JOHN GRAHAM:** It is double the funding that was available under the former Government, out the door to councils to help do the job properly. There is a little bit of quiet now on the other side because that is funding that is already out, supporting the regions. That was what they asked for. After the damage from the fire and the flood, that was what councils were talking to us about. We have delivered on that. I reject that part of the motion, but I thank the member for bringing it before the House.

**The Hon. SARAH MITCHELL (21:39):** I support the motion moved by my colleague the Hon. Aileen MacDonald. I congratulate her on moving her first motion. What a cracker to start off with. I am sure we will see further great contributions from her on private members' day. The motion is important because it calls out a number of projects, particularly in north and north-west New South Wales, that have been cancelled or forgotten by State and Federal Labor governments, as the member said in her contribution. The idea that regional New South Wales is somehow going to see so much delivery under a Labor Government is a complete farce. We know that, when Labor gets elected, infrastructure projects in our community grind to a halt and new projects are not announced and certainly not delivered.

I applaud the Minister for naming a couple of projects, particularly the New Dubbo Bridge and the Coffs Harbour bypass, which were both started and funded by the previous Government. It is great to be able to ride on the coat-tails of the successful infrastructure projects of the former Government. But our communities are smart. They know who delivered what infrastructure and they also know who made those cuts. The first part of the motion states:

That this House condemns the Minns Labor Government for being missing in action when it comes to the people of rural and regional New South Wales.

That is true. In this instance, the member is talking about road and transport infrastructure projects, but there are a series of areas across many portfolios that are not seeing the investment in regional New South Wales that was there under the former Government. Everywhere I go people are talking to me about how disappointed they are, projects that are not available, programs that are not there anymore and kids who are missing out on opportunities. There is a constant theme, less than 12 months into this Government, that regional New South Wales communities are always the first on the chopping block when it comes to those cuts that those opposite are so fond of.

It is challenging for people who live in regional communities that these projects are planned and funded and then, with the stroke of a pen, they do not exist anymore. This came off the back of a Federal infrastructure review that took far longer than it was ever meant to. That uncertainty is really difficult for communities and for businesses that are looking to invest. The trickle-on effect of having projects cancelled is incredibly concerning and damaging. I am also concerned that every time we talk about an investment in a regional community, the Labor Party calls it pork-barrelling. It is not pork-barrelling. We deserve to live in communities that have great physical and social infrastructure. Members on this side will stand up every day of the week and back in those communities and their right to have decent infrastructure where they live.

**Ms SUE HIGGINSON (21:42):** I contribute to debate as The Greens spokesperson. I was not planning to contribute but I kind of have to because I live in a region where one of those projects was supposedly proposed and delivered. Everybody who lives in my region knows that the Bruxner Highway Wollongbar to Goonellabah project was not genuinely committed to. We wanted it and we hoped for it. I was working on a project that relies on that road—the building of the Northern Rivers Wildlife Hospital, which has received investment by this Government—and I said, "Hey, it looks like this highway project might be in the pipeline", and everybody who deals with roads in the Northern Rivers said to me very sensibly, "No, Sue, that's not a genuine commitment. That's not going to happen. Get an alternative plan."

It is a bit rich for members opposite to hammer this Government on projects that were not real projects that their Government did not genuinely commit to. It is also important to realise that much of the infrastructure in the north-west under the former Government was left to the mining sector. We know that was short term, short lived and, in fact, a burden on regional communities. The former Government let mining corporations in the Gunnedah Basin literally dig giant holes, trash the roads and do very little in regard to genuine infrastructure contributions

in the region. This Government and all of New South Wales are now left with that very short-term infrastructure reality. It is a little bit rich.

I acknowledge that this Government has a massive challenge ahead in regional communities and regional infrastructure. We want to see infrastructure that is fit for now, for the future, for our climate change reality and for the children of tomorrow and after that. We want sensible, fit-for-purpose infrastructure planning. We do not want the infrastructure of yesterday that is based on digging giant holes and extractive industries. We are entering into a brave new world. We are looking at a different economy that will require different infrastructure and genuinely support the wellbeing of our regional communities. Members opposite should think twice about bagging this Government on what it did not do.

**The Hon. AILEEN MacDONALD (21:46):** In reply: I thank the Hon. John Graham, the Hon. Sarah Mitchell and Ms Sue Higginson for their contributions to debate, although I do not agree with much of what Ms Sue Higginson said. I stand by my words because we are talking about infrastructure and important projects that connect rural and regional New South Wales.

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

**Motion negatived.**

*Adjournment Debate*

### ADJOURNMENT

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

That this House do now adjourn.

### WAGGA WAGGA CITY COUNCIL

**The Hon. WES FANG (21:47):** They say a week is a long time in politics. If that is the case, then a year is almost an eternity. It has, however, been a full 12 months that I have been patiently watching and waiting, longingly anticipating the receipt of a letter from the Mayor of Wagga Wagga, Dallas Tout, that he foreshadowed would be sent. Alas, that letter has never arrived. It was over 12 months ago that the mayor fronted up to the media in Wagga, proclaiming that he would be requesting an apology from me. The irony is that he was seeking an apology about a letter he claims he sent to the New South Wales Government, which also did not arrive. It would seem that Mr Tout has form.

There is no doubt in my mind, however, that the seeking of an apology was at the behest of another councillor and the former mayor, Rod Kendall. For those who are not aware, prior to entering this place I founded the Wagga Wagga Ratepayers' Community and held council to account for its poor decision-making and waste of taxpayer funds. It was clear at the time that some of those long-serving councillors and, indeed, some of the executive staff members were not used to their decisions and actions being scrutinised. One of those who clearly objected to the scrutiny was Mr Kendall.

Only a handful of months after starting the Wagga Wagga Ratepayers' Community, I became aware that the then general manager, Alan Eldridge—who is on the record as having been approached initially by Rod Kendall and Dallas Tout to take up that position—had failed to declare a pecuniary interest in a development. Ultimately, history records what transpired next. Despite the very public support provided by the then local member, Daryl Maguire, Eldridge was dismissed by council. Mr Eldridge then lost his unfair dismissal case against council. In his 2021 judgement, then New South Wales Supreme Court Justice Andrew Bell said of Mr Eldridge's conduct:

The lies were disgraceful and dishonest and represented a further breach of Mr Eldridge's duties to the Council and those under his control.

It is also a matter of record that Alan Eldridge was mentioned during ICAC's Operation Keppel public hearings in relation to a connection with Daryl Maguire's alleged cash-for-visa scheme, with those matters likely to be ventilated shortly. It has been apparent since December 2016, when the Wagga Wagga Ratepayers' Community forum was started, that Rod Kendall has disliked being held to account by me. It seems that time has only exacerbated his position, and Rod Kendall's call 12 months ago was actually his second call in less than a year for me to apologise to council for matters which ultimately related to the New South Wales State Government. Somewhat ironically, it was Rod Kendall issuing a public apology some months later, after the Office of Local Government suspended him from the service of the Wagga Wagga City Council for misconduct, having failed to disclose a pecuniary interest.

The whole apology issue stems from the sale of the former ambulance station in Wagga to the council. Those issues have been well ventilated previously, but I note that on 17 October 2023 the Eastern Riverina Arts executive director, Tim Kurylowicz, inferred to *The Daily Advertiser* that they were being charged the commercial rate of rent that they were paying only because council bought the building, even if it was at the dramatically reduced amount of \$610,000. Mr Kurylowicz said, "It is a really challenging operation when trying to deliver full community service and subsidising that while also having to pay a full commercial rent," when speaking of the refund to council, which was provided by Minister Ryan Park. One can presume from this statement that the Eastern Riverina Arts and the Wagga Wagga Business Chamber, which currently operates in that location, will now receive a much reduced or even complimentary tenancy from council. Those details have yet to be made public.

Ultimately, it is my hope that the upcoming council elections will offer the chance to refresh the council and move out some of the old, tired deadwood—those who have been there for decades and continue to display more interest in advancing themselves instead of the City of Wagga Wagga. My final thoughts on the matter are these. To Mayor Dallas Tout, I suggest that he does what he says and says what he means. If he is going to go out in public saying that he will write to me seeking an apology, he had better follow through because I will have a long memory and am unlikely to forget. I look forward to finally receiving his request for an apology so that I may reply with an appropriate response. Ultimately, I will continue to fight and do for Wagga what I believe is right. I believe that that, in part, is ensuring that the Wagga Wagga City Council focuses on the ratepayers and the people of Wagga Wagga.

### SHOOTING RANGES

**The Hon. ROBERT BORSAK (21:52):** The critical role and importance of shooting ranges in New South Wales cannot be overstated, primarily because they serve as vital hubs for the development and promotion of safe shooting practices within our society. One of the most remarkable aspects of shooting ranges in New South Wales is their exemplary safety record. It is a testament to the commitment of range operators and participants alike to prioritise safety above all else. As a representative of the Shooters, Fishers and Farmers Party, I am immensely proud of our longstanding advocacy for safe shooting practices. Initiated by the leadership of the late Hon. John Tingle, we have tirelessly worked to secure grants for clubs and organisations dedicated to fostering responsible firearm use. However, our efforts have not been without challenges.

During the tenure of the previous Liberal-Nationals Government, a vital safe shooting grant program was abruptly terminated, depriving law-abiding shooters of much-needed support. It was disheartening to witness such short-sighted decisions that undermine the safety and wellbeing of our community members. Nevertheless, I am happy to say that our persistence and dedication have paid off, as evidenced by the reinstatement of a new \$800,000 grant program by the current Labor Government last year, which has already benefited 24 clubs and organisations across the State. Despite the commendable safety record maintained by shooting ranges, they face persistent challenges and uncertainties, largely stemming from the stringent regulations imposed by the New South Wales Firearms Registry.

The Firearms Act 1996 and the Firearms Regulation 2017 grant the commissioner broad powers over range approvals, creating a system that lacks transparency and accountability. The Firearms Regulation also covers the powers of the commissioner in terms of approvals, conditions and the operation of a shooting range. But the key terms are these. Regarding approvals, the commissioner may approve a shooting range, either unconditionally or subject to such conditions as the commissioner thinks fit. Since the current commissioner has no professional understanding of ballistics, and nor does the deputy commissioner—a fact borne out by questioning in recent budget estimates—the next question is where the rules and regulations for range approvals must exist. The sole document for this is a sizeable but nebulous document called *Range Users Guide: September 2017, Version 10*. While it contains many pages of allegedly scientific data, New South Wales police have carved their "get out of jail free" card on page 5: a disclaimer which says that none of the information in the guide can be depended upon as the registry's legal advice or opinion.

In light of the fact that such a document is therefore worthless, the next question is this: From where is the ballistics expertise of the Firearms Registry drawn? With the unlimited power over civilian shooting ranges invested in the State range inspector, because of that individual's alleged expertise, it has to be questioned exactly what qualifications they possess. Furthermore, the qualifications and conduct of individuals overseeing range approvals, such as the State range inspector, who ironically has the surname of Doogood, have come under scrutiny. Mr Doogood's lack of expertise and professionalism has hindered the efforts of clubs seeking compliance with regulatory standards. His inconsistent verbal advice and arbitrary decision-making have left many club officials frustrated and disillusioned, completely undermining their confidence in the regulatory process.

It is evident that the current approach to range compliance is flawed and ineffective. Instead of entrusting oversight to unqualified individuals such as Mr Doogood, who is in fact not doing any good at all, it is imperative

that we involve genuine industry experts and professionals in range design and management. By adopting a civilian model of risk management and range design, we will achieve a more rational and informed approach to range management. We clearly do not currently have the right model or the right person to do this properly, fairly or professionally. Unless we can get this change to range oversight, we cannot guarantee the continued safety and viability of shooting ranges in New South Wales into the future.

### COMMONWEALTH LATIMER HOUSE PRINCIPLES

**The Hon. EMILY SUVAAL (21:56):** The *Commonwealth (Latimer House) Principles on the Three Branches of Government* is a set of fundamental principles of the Commonwealth. They are principles underpinning the accountability of and relationship between the three branches of government and provide an operational manual of good practice for all in the Commonwealth—in short, the separation of powers. The stated objective of the principles is:

... to provide, in accordance with the laws and customs of each Commonwealth country, an effective framework for the implementation by governments, parliaments and judiciaries of the Commonwealth's fundamental values.

The Latimer House principles recently celebrated a 20-year anniversary. I encourage honourable members to read more about their history, including how they were arrived at and the impact they have had, in a copy of *The Parliamentarian*, which can be found in the wonderful Clerk's office. On face value, one might think that the impact of the Latimer House principles is mostly felt in smaller nations within our Commonwealth. That could not be further from the truth. Every Commonwealth member has a duty to continually ask ourselves and reflect on how well we are observing the separation of powers in our governments to best meet the interests of the people that, obviously, we represent. One could also argue, as has been conjectured by many, in reading the Latimer House principles that while the judiciary is independent of the Executive, it is still dependent on it financially.

The Latimer House principles are a set of overarching principles that are a guiding framework for all in the Commonwealth to adhere to. I will single out the work done by the Australian Capital Territory Government. In particular, it is the only jurisdiction in the Commonwealth that has progressed any express implementation of the principles. They are embedded in the standing orders of the Parliament and there is an overarching committee that oversees how they are being implemented.

Indeed, every eight years the Australian Capital Territory Government commissions an independent expert to review whether the Parliament is in line with the Commonwealth Latimer House principles. It is basically a check-up. That has had some promising results, including the most recent report, which identified that the public accounts committee was not following up on Auditor-General reports. That drew the attention of the Assembly and the committee to those important Auditor-General reports. Obviously, some very important Auditor-General reports have been provided to this Parliament. I will talk to a couple of matters regarding how the New South Wales Parliament is going. The Latimer House principles identify a number of ways that we can improve and adhere to the separation of powers, including that women should be put forward for safe seats. It also states:

True gender balance requires the oppositional element of the inclusion of men in the process of dialogue and remedial action to address the necessary inclusion of both genders in all aspects of public life.

I also draw members' attention to the part of the principles that was reaffirmed in Edinburgh in 2008 in the plan for action, which encouraged:

... each new generation of government officers, Parliamentarians, lawyers, judicial officers and members of civil society ... to be alert to the imperatives of, and balance between, the independence and accountability of the judiciary, Parliament and the executive ...

Twelve months in, I am now alert to them, thanks to our wonderful friends in the Clerk's office. We have a duty to make ourselves aware of the importance of those aspects. The plan of action states:

All Parliamentarians, judicial officers and public servants, on election or appointment, should be given awareness training on basic constitutional principles and their primary roles in the constitutional process.

Meetings between representatives of the three branches of Government should be organised on a regular basis, in their respective jurisdictions, in order to promote better understanding of each other's roles.

I acknowledge the work of the Commonwealth Parliamentary Association in our Parliament and the seminars it conducts for newly elected parliamentarians. That measure has obviously always been in place, but there is always more work to do. I encourage honourable members in this place to read the Latimer House principles online at [www.cpahq.org](http://www.cpahq.org). [Time expired.]

### STARTUPS INVESTMENT

**The Hon. JACQUI MUNRO (22:02):** "There's nothing innovative about handing out cash," said the Minister for Innovation, Science and Technology, and Minister for Industry and Trade, during budget "guestimates". Well, it is time the Minns Labor Government starts handing out more than platitudes. The

Government must move beyond the narrow thinking that financial investments in startups, innovation and enterprise are cash handouts. The Minister's line was his cutting return to the Opposition's serve, as we reasonably asked the Minister whether industry-embedded organisations like the Sydney Quantum Academy, the Sydney School of Entrepreneurship and the Semiconductor Sector Service Bureau could expect future funding for their work.

The problem is that the Minister has swung back and missed the ball altogether. The New South Wales Labor Government's tired, narrow, labour-capital, public-private economic thinking is reducing government spending to cash splashes instead of unlocking potential through considered investment that leverages government's unique role in the market. We have heard that tonight. The term "cash handouts" is an attempt at topspin that carries a heavy load—two words to justify the Labor Government's investment cuts, lack of interest and lack of ideas to generate productivity growth and prosperity through innovation. The Government is offering directionless consultation with zero ministerial leadership. Industry is getting a lacklustre backhand—a drop shot, not a moonshot.

There is nothing more relevant in considering the New South Wales Labor Government's approach to innovation than asking a notorious question from Shimon Peres, Israel's longest serving member of the Knesset: "Nice speech, but what are you going to do?" Unfortunately, contrary to the Minister's stated intent, he is in reality overseeing the handing out of cash without any strategic basis, because there is none. The meagre offerings recently announced by the Labor Government include a significantly reduced Boosting Business Innovation Program and TechVoucher grant program. It reduced 13 top-tier research institutions to potentially receiving an annual allocation of a mere \$137,500 per institution over four years—unless they bid against each other and risk getting nothing. Honestly, it is peanuts, and the opposite of building a collaborative strategic ecosystem. Why would they bother engaging?

Further, the confused TechVouchers matched funding scheme makes very hard work of getting \$50,000—at most—for entrepreneurs. The reduced MVP Ventures grants program also has the same maximum amount. What is the strategy there? Under TechVouchers, funding is not given to startups until after a project is completed and has very strict terms, such as a project needing to be ready to start within three months of application to the department despite no guarantee of a timely approval response. What capital should an early-stage startup be drawing on to undertake the very activities that it is seeking funding for? I hear from entrepreneurs that securing matched funding is tough enough in this financial environment, but investors then seeing their money languish in a bank account while governments make decisions often means startups must invest the cash in a different stream of work or risk losing it entirely. It makes the whole process arduous and wasteful—the opposite of secure and inspiring.

The New South Wales Labor Government is setting up entrepreneurs to hit the ball straight into the net. I am sadly aware that the Coalition is in opposition and it is our job to hold the Government to account, but I cannot help myself going further. After reading the 1½-page Innovation Blueprint discussion paper, which took 11 months for the Minister to release, after hearing empty ministerial rhetoric like, "I'm advocating for every industry," and after speaking to industry leaders who despair at the New South Wales Labor Government's lack of interest, I cannot help but offer some actions any government could take to leverage its unique legal and market position to support innovation.

Government can uniquely utilise three core functions for the benefit of policy, investment and relationships to support innovation. They are mission orientation, environmental stability and regulatory leverage. I have touched on what a lack of mission orientation and environmental stability look like—as an aside, I would also include trade relationships in those functions—so I will use my limited time to share opportunities for regulatory leverage. The first is launching an investment vehicle, like the \$2 billion Breakthrough Victoria fund, which mostly directly invests into startups, or the \$130 million Queensland Venture Capital Development Fund, which funds venture capital to support startups. Deals includes specific conditions about outcomes, returns and equity arrangements.

The second is creating attractive contract terms for mission-oriented startups, scale-ups and innovative companies to locate and grow in New South Wales, from utilisation of Crown land for warehousing near key infrastructure like ports to departmental procurement to payroll tax incentives. The third is developing equity arrangements for large investments in individual companies that capitalise on success by returning the returns to taxpayers while providing a de-risked loan—let us not go down the Tesla and Google route. The fourth is utilising government bonds to create patient finance for long-term investments where research and development to commercialisation takes years, not months. Smarter jurisdictions are already moving in that direction. Why can't New South Wales?

## DOMESTIC AND FAMILY VIOLENCE

**Ms ABIGAIL BOYD (22:07):** In any social movement there are peaks and troughs, ebbs and flows. It can feel like you are getting nowhere and then all of a sudden there is a groundswell of support, a moment and an opportunity for a significant surging step forward. I have seen and felt that in the fight for women's safety. Many members will clearly remember the moment nine years ago when Rosie Batty stepped out of her front door to address the TV cameras outside, hours after her son had been murdered by his father. Less than a year later she was Australian of the Year, and the issue of domestic and family violence was finally getting some public attention. It was a watershed moment, an inflection point in the campaign for greater public awareness, for funding to keep women safe and for government commitment to invest in prevention.

Out of the rubble of Rosie's tragic circumstances grew real change across the country. The Victorian Royal Commission into Family Violence handed down 227 recommendations and, more importantly, the Victorian Government listened to many of those recommendations, investing billions to try to turn things around. But, just as we have seen with progress on so many other social issues, that whoosh we felt and that acceleration of activity eventually faded in its speed and intensity, and by 2018 we were back to pushing against institutions and broader society unwilling to do what is necessary to keep women and children safe from domestic abuse. The "real men don't hit women" message was widespread by then, but the conversation about the drivers of domestic violence—the gender norms and power structures that enable and then forgive men who control women—had barely begun to spark before it lost its fire.

But just as I was starting my role in Parliament in 2019, a new wave was building. Jess Hill's book *See What You Made Me Do* was groundbreaking in so clearly articulating to the masses what coercive control looked like, how it could be used as a predictor of domestic homicide, how it could guide better responses to helping victim-survivors to heal and how understanding it would help the police and the judiciary to keep more people safe. The concept of coercive control allowed us to take a fresh view, a more nuanced and evidence-based take on domestic and family violence. A strong campaign was building around recognising it as a separate offence in our laws.

In early 2020 a number of murders, marked by coercive control, of women by their current or former partners caught the media's attention. The case for a separate coercive control offence was becoming stronger and more compelling, with advocates calling for politicians to take notice. After over a year of consultation with domestic and family violence victim-survivors, experts, advocates and frontline workers, I introduced a Greens bill to criminalise coercive control, based on the Scottish legislation viewed by academics and experts as the gold standard.

Around the same time, a joint select committee inquiry was set up to investigate whether and how New South Wales should criminalise coercive control. Thanks to the compelling evidence presented at that inquiry, the committee—comprising Liberals, Nationals, Labor, The Greens and One Nation members—recommended criminalising coercive control but—and this is an important "but"—only if the coercive control offence was coupled with a serious commitment from government to properly resource implementation of the offence, including robust and ongoing training for police and judiciary and a high-profile public education campaign. Members of the committee agreed that, done wrong, implementation of the coercive control offence could do more harm than good—yet here we are.

At the end of 2022, in the dying days of the Coalition Government's rule in New South Wales, it hurriedly introduced a coercive control offence that is the most perpetrator-friendly in the world, backed in by a Labor Opposition that was at the time too scared of losing an election to have the confidence to join The Greens in our attempts to make it better. To make matters worse, the resources needed to ensure that coercive control is understood by the police, the judiciary and the broader public have not been provided. The offence will go live on 1 July this year. In the best-case scenario, it will not get used; in the worst-case scenario, it will actively cause harm to victim-survivors.

The New South Wales domestic and family violence sector—advocates, frontline workers and victim-survivors—has been asking for the implementation of this legislation to be delayed. The sector is asking for amendments to be made to the wording of the offence; for significantly more resources to be deployed; for the NSW Police Force and judiciary to receive proper training; and for the NSW Police Force record system to be modernised, as recommended by the Attorney General—but the New South Wales Labor Government is not listening. Instead, it is continuing the last 50 years of governments in this State not listening to the real experts when it comes to ending violence against women. In doing this, it has brought the latest wave of progress in the fight to tackle domestic and family violence smashing against a brick wall—a brick wall that I worry we will never overcome.

### QANTAS GROUND SERVICES

**The Hon. MARK BUTTIGIEG (22:12):** I bring to the attention of the House the recent and momentous decision—the first of its kind in Australia—by the District Court of New South Wales that has convicted Qantas for illegally standing down health and safety representative [HSR] Theo Seremetidis in the early days of the pandemic. Theo took his role as a workplace health and safety representative very seriously. Back in January and February of 2020, when potentially COVID-19-infected planes were flying in from China, members of the cleaning crew at Qantas were concerned that they did not have the appropriate protective equipment, training and cleaning supplies to protect them from catching the virus.

Theo put the safety of his colleagues first and instructed them not to clean the planes. Qantas then stood him down for his efforts. Theo, also a proud member of the Transport Workers' Union [TWU], was later sacked by Qantas, along with about 1,700 other groundworkers. The TWU brought the matter to the attention of SafeWork NSW, the responsible regulator for work health and safety, which subsequently prosecuted the case in the District Court. In handing down the judgement for the decision to fine Qantas \$250,000 just last week—almost four years after Theo was stood down—His Honour Judge D. Russell, SC, was scathing of the behaviour of Qantas Ground Services [QGS]. He stated:

It was deliberate conduct on the part of QGS designed to advance its own commercial interests, at the expense not only of Mr Seremetidis, but also at the expense of those workers who were then denied his counsel and advice in relation to a vital health and safety issue.

The judge goes on:

There was a gross power imbalance between the senior managers at QGS and Mr Seremetidis, a part-time employee on a very modest wage ...

The effect of the conduct of QGS upon Mr Seremetidis personally was traumatic and long-lasting ... The conduct of QGS towards Mr Seremetidis was quite shameful.

This is the finding of the District Court judge. He goes on:

QGS showed no remorse for the commission of the offence.

There was no evidence that QGS or its management had ever spoken to Mr Seremetidis to offer an apology.

Meanwhile, his Honour acknowledged Theo for being "a careful and conscientious HSR" showing "enormous strength of character" who was "a witness of truth and credibility". I note that Theo will also receive \$21,000 in compensation from Qantas due to its discriminatory conduct. There is no point having laws if they are not enforced. In this case, very important laws that protect the sovereignty of health and safety representatives in the workplace were enforced. In order to be effective, health and safety representatives must have the right to raise valid concerns about safety without fear of intimidation and reprisal by bully-boy employers like Qantas.

I do not think, as a House, we can underestimate the bravery of this person, Theo Seremetidis, in the workplace. Those members on this side of the House who are familiar with unionised and non-unionised workplaces will understand how important it is for someone to take a stand and strike out against injustice. It is always very difficult. Even for Mr Seremetidis, who had the backing of his union, it took courage to stand out and take up the fight at his own personal cost, to the detriment of his wellbeing. It can affect your family life. In this case, the poor fellow lost his job over it. Yet what he has done has allowed the union to back him and the regulator, SafeWork NSW, to bring this prosecution. The case has become a trailblazer and a signal to other health and safety representatives—not just in New South Wales but around the country—that if your employer tries to intimidate or coerce you in your role as an HSR, you will be protected by the law. There is case precedence. You have the right to stand up for your fellow workers in the workplace.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 22:17 until Thursday 14 March 2024 at 10:00.**