New South Wales

Legislative Council

PARLIAMENTARY DEBATES
(HANSARD)

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First Session

Wednesday 20 March 2024

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LEGISLATIVE COUNCIL

Wednesday 20 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.

Bills

AGEING AND DISABILITY COMMISSIONER AMENDMENT BILL 2023

Messages

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

Announcements

NOTICE PAPER

The PRESIDENT: I advise members of a correction to the *Notice Paper* of Wednesday 20 March 2024. Item No. 5 in the order of private members' business for today should read:

Private members' business item No. 857 standing in the name of the Hon. Mark Latham relating to GST distribution between States.

Motions

PATHWAYS TO POLITICS FOR WOMEN PROGRAM

The Hon. AILEEN MacDONALD (10:03): I move:

(1) That this House notes that:

(a) applications have opened for the 2024 Pathways to Politics for Women;

(b) the Pathways to Politics program is Australia's most comprehensive and award-winning political training program;

(c) the program was launched in 2016; and

(d) the program is delivered by the University of New South Wales and supported by the New South Wales Parliament.

(2) That this House further notes that:

(a) the program has helped hundreds of women run for office, achieving 34 electoral successes nationally across the political spectrum;

(b) more than 50 program alums are expected to run in local and State elections throughout Australia in 2024; and

(c) the program provides a tangible pathway to achieving gender equality in Australian politics.

(3) That this House notes that New South Wales Parliament hosted 27 graduates of the program in 2023 and looks forward to hosting the graduates of 2024 later this year.

Motion agreed to.

Business of the House

WITHDRAWAL OF BUSINESS

The PRESIDENT: I inform the House that the Hon. Natasha Maclaren-Jones has withdrawn private members' business item No. 812 standing in her name relating to World Down Syndrome Day 2024.

Motions

SOCIETY OF NOTARIES OF NEW SOUTH WALES

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

(1) That this House notes that the Society of Notaries of New South Wales hosted its annual dinner on Friday 8 March 2024 with the President of the Australian Human Rights Commission, Emeritus Professor Rosalind Croucher, AM, the guest of honour and after dinner speaker, and the Hon. Cameron Murphy, MLC, in attendance, along with a number of public notaries from across New South Wales and interstate.

(2) The House extends its thanks to the President, Mr Norbert Schweizer, OAM, Vice-President Ms Gabriella Fabiani, Secretary Treasurer Mr Colin Dunston, along with the councillors of the Society of Notaries of New South Wales for their excellent work in arranging the annual dinner and for their work generally as representatives of the profession.

(3) The House further notes the vital and important role that public notaries continue to play in domestic and international systems of law and trade via the authentication of government documents, witnessing the execution of legal documents, certifying true copies of documents, and dealing with documentation for land and property transfer, all for use overseas.

Motion agreed to.

BATHURST AND ORANGE RAIL ACTION GROUPS

The Hon. SAM FARRAWAY (10:04): I move:

(1) That this House notes that the Bathurst and Orange Rail Action Groups held a joint meeting in Bathurst on 5 March 2024.

(2) That this House acknowledges:

(a) Dr Michelle Zeibots from the University of Technology Sydney was the guest speaker, who delivered a detailed presentation on planning for the future expansion of rail infrastructure and services in New South Wales; and

(b) that the Bathurst and Orange Rail Action Groups were established as community-based organisations with the objective of improving access to faster and more frequent rail transport between the Central West region and Sydney.

(3) That this House calls on the Government to further engage with the Bathurst and Orange Rail Action Groups to improve the rail offering in the Central West and engage with the local community on the rollout of the new regional fleet.

(4) That this House congratulates the Bathurst and Orange Rail Action Groups for their continued advocacy for improved rail services for the entire Central West region.

Motion agreed to.

LITHGOW SHOW

The Hon. SAM FARRAWAY (10:04): I move:

(1) That this House notes that Lithgow Show was held on 15 and 16 March 2024 with equestrian events held on Sunday 17 March 2024.

(2) That this House acknowledges:

(a) the tireless work and contribution from the Lithgow Show councillors, stewards, volunteers and staff;

(b) the 2024 Lithgow Show Young Woman Ambassadors, Victoria Clutterham and Emily Waru; and

(c) Mrs Maureen Ford, who was awarded the inaugural 2024 Lithgow Show Champion for her dedication to the show over many years.

(3) That this House congratulates Lithgow Show Society president, Mr David Peters, and the entire show council, stewards, committee members and volunteers on running a successful 2024 Lithgow Show.

Motion agreed to.

VILLAGE VOICE COMMUNITY NEWSPAPER

The Hon. SAM FARRAWAY (10:05): I move:

(1) That this House acknowledges that:

(a) the first edition of the *Village Voice* community newspaper went to press on 4 March 2014;

(b) the *Village Voice* is now a fortnightly regional publication that covers from Blackheath to Bathurst for distribution, and every fortnight thousands of papers go out around the community which are all picked up by readers within 48 hours; and

(c) the *Village Voice* covers a wide range of local news, community announcements, support for local sporting and community organisations and advertising.

(2) That this House congratulates Rich and Kellie Evans on celebrating 10 years of delivering the *Village Voice* community newspaper to Central West communities.

Motion agreed to.

AUSTRALIAN OPEN SQUASH TOURNAMENT

The Hon. SAM FARRAWAY (10:05): I move:

(1) That this House notes that:

(a) the Australian Open squash tournament will be held from 22 to 24 March 2024;

(b) the Australian Open will be played at different venues throughout Sydney, including Sydney University Sport and Fitness Centre, Castlereagh Club, Tattersalls Club on Hyde Park and Bondi Squash Club; and

(c) Squash Australia is constructing an outside glass-back squash court in Martin Place where the semi and grand final matches will be played, showcasing the Sydney CBD.

(2) That this House acknowledges:

(a) the Australian Open is the pinnacle event for squash on the Australian events calendar and has a rich history dating back to 1928;

(b) the prestigious event is on the Professional Squash Association World Tour and attracts the best domestic players and an international contingent all vying for the crown of Australian Open champion; and

(c) past winners of the Australian Open include Queanbeyan-born Heather McKay, who won the women's title 13 consecutive times between 1960 and 1973.

(3) That this House congratulates Squash Australia on hosting this event in New South Wales and wishes all players, volunteers and event support staff all the best in the running of the 2024 Australian Open squash tournament.

Motion agreed to.

TRIBUTE TO STEVEN WISE

The Hon. EMMA HURST (10:06): I move:

(1) That this House notes with sadness the death of Mr Steven M. Wise, who passed away on 15 February 2024 at age 73.

(2) That this House notes that:

(a) Mr Wise was an attorney in the United States and was the founder and president of the Nonhuman Rights Project;

(b) Mr Wise spent over 40 years fighting for basic legal rights for animals, such as:

(i) the right to be free from arbitrary imprisonment; and

(ii) the right to bodily autonomy.

(c) Mr Wise sought to establish these legal rights through groundbreaking habeas corpus litigation in the United States courts; and

(d) Mr Wise was an inspiration to so many in the animal protection movement and will be remembered for his visionary efforts towards achieving legal personhood for non-human animals.

(3) That this House expresses its condolences to Steven's family, friends and colleagues, who miss him dearly.

Motion agreed to.

HOCKEYROOS AND KOOKABURRAS FIH PRO LEAGUE CAMPAIGN

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

(1) That this House notes:

(a) on 14 February 2024 and 11 February 2024 respectively, the Hockeyroos and Kookaburras began their campaign in the 2023-24 FIH Pro League;

(b) the significant contribution of our players in representing the presence of Australia on the international sporting stage, and to the important cultural exchange between our nations; and

(c) the positive impact of both teams on promoting such an exciting sport in Australia and to aspiring athletes.

(2) That this House congratulates the Hockeyroos and the Kookaburras and thanks them for their campaign in India.

Motion agreed to.

CAMDEN SHOW

The Hon. RACHEL MERTON (10:07): I move:

(1) That this House notes that the running of the 138th annual Camden Show took place on 15 and 16 March 2024 and welcomed over 45,000 visitors.

(2) That this House acknowledges the dedication, passion and tireless work of the Camden Show Society councillors, stewards and staff, together with over 450 volunteers, and notes:

(a) the Camden Show sets out to showcase and promote excellence in agricultural, horticultural, commercial and industrial resources in the Macarthur region through competition, exhibition and entertainment; and

(b) the Camden Show provides a true country show experience, just an hour from the Sydney CBD. The show hosts two full days, including showjumping and equestrian ring events, woodchopping, sheep, cattle, sheep dog trials, pig racing, rides, floristry and poultry exhibitions, arts and crafts, cookery, many other competitions and exhibitions together with commercial and trade displays.

(3) That this House congratulates Camden Show Society President David Dunbier and the entire show council and the organising committee on a successful 2024 show, acknowledging the following award recipients:

(a) 2024 Camden Show Young Woman of the year, Stephanie Hennings;

(b) 2024 Carmel Foti Encouragement Award recipient, Angel Greener; and

(c) 2024 Camden Show Young Woman entrant, Georgia Rodgers.

Motion agreed to.

MEMBERS OF PARLIAMENT MEDIA SUMMARIES

The Hon. NATALIE WARD (10:07): On behalf of the Hon. Natasha Maclaren-Jones: I move:

(1) That this House notes the cessation of media summaries on 30 November 2023 without any notice to members of Parliament.

(2) That this House reaffirms members of Parliament having equal access to media monitoring.

(3) That this House calls on the New South Wales Parliament to take all necessary steps to restore arrangements for media summaries prior to the change in contract on 1 December 2023.

Motion agreed to.

ARCHDIOCESE OF SYDNEY ST PATRICK'S DAY MASS

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

(1) That this House congratulates the Archdiocese of Sydney and the organising committee on the celebration of the solemnity of St Patrick with a solemn mass at St Mary's Cathedral.

(2) That this House notes that St Patrick remains an important role model of compassion and forgiveness for our society today, with his example of returning in love to preach and teach in a place where he, as a kidnapped teenager, had been forced to work as a slave.

(3) That this House notes that the principal celebrant was Bishop Emeritus Terry Brady; the homilist, Fr Pat Mara; the first reader, the Hon. Michael Daley, MP; and the second reader, Dr Sandra Lynch.

(4) That the event was attended by the Hon. Damien Tudehope, MLC; Mark Coure, MP; Matt Cross, MP; Justin Clancy, MP; and the Hon. Susan Carter, MLC.

(5) That the event was a great way to celebrate Irish heritage and the continuing contribution made by the Irish diaspora to Australian life.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. EMMA HURST: By leave: I table a document displaying an online petition entitled *Help save Olivia (sow 8416) – The victim of horrific bestiality*. I move:

That the document be published.

Motion agreed to.

Bills

ANTI-DISCRIMINATION AMENDMENT (HETEROSEXUAL DISCRIMINATION) BILL 2024

First Reading

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

Second Reading Speech

The Hon. MARK BANASIAK (10:17): I move:

That this bill be now read a second time.

On behalf of the Shooters, Fishers and Farmers Party, I am pleased to introduce the New South Wales Anti-Discrimination Amendment (Heterosexual Discrimination) Bill 2024. The objects of the bill provide that discrimination against a person on the ground of the person's heterosexuality is unlawful; provide that heterosexual vilification, by certain public acts, is unlawful; and prescribe certain work and other arrangements in which discrimination against a person on the ground of the person's heterosexuality is unlawful. The bill aims to rectify a glaring omission in our current legislation. While the Anti-Discrimination Act 1977 rightly protects individuals from discrimination based on attributes such as disability, race, Aboriginality, sexual orientation and transgender status, there remains a significant gap in its coverage. It fails to address discrimination against a seemingly forgotten group that comprises 96 per cent of the New South Wales community that we represent in this place—namely, the heterosexuals of New South Wales.

I emphasise the Shooters, Fishers and Farmers Party's commitment to the importance of equality and fairness in our society. Discrimination, in any form, undermines the very principles upon which our democratic State stands. It fractures communities, stifles progress and perpetuates injustice. We understand it is our responsibility to ensure that every individual in New South Wales, regardless of their background or orientation, is treated with dignity and respect. One might argue that heterosexual individuals, comprising the majority of the population, do not require legal protection against discrimination. However, that assumption overlooks the nuanced ways in which discrimination operates. It dismisses the experiences of individuals who have faced prejudice or mistreatment based solely on their sexual orientation.

Currently there exists a term—heterophobia—which, for the benefit of some of my more left-leaning fellow members in this place, is known in modern woke parlance as cisphobia. Heterophobia describes reverse discrimination towards heterosexuals. While the term may not be widely recognised or understood, its existence underscores a pressing issue that cannot be ignored. Discrimination against heterosexuals is real and has consequences. It can manifest in various forms, from subtle biases in hiring practices to overt exclusion from certain spaces, exclusion from preselection during elections for certain political parties and exclusion from opportunities, to even policies and procedures in this place.

In her book *Heterophobia: Sexual Harassment and the Future of Feminism*, emeritus Professor Daphne Patai, from the University of Massachusetts, shows us that the workings of the vast "sexual harassment industry" that now flourishes on college campuses in the United States could easily flourish in Australia and New South Wales if it is not challenged. It could, indeed, develop and grow like a cancer in this place if left unchecked. It even emerged during a budget estimates hearing for Portfolio Committee No.1 - Premier and Finance on Monday 4 March that a male member of this place, the Hon. Mark Latham, had expressed concern. He said:

> The Independent Complaints Officer has adopted a policy that you need to have certain personal characteristics to be possibly harassed if a complaint is received. I have just been through a process where as a white, straight man with two legs, I'm ineligible to be a victim of harassment.

He further stated:

> How can we have a two-tier policy here, spending all this money on it and all this other hoopla that goes with it, where certain people—perhaps a large number of people in the building—can receive no end of harassing text messages late at night, put in a complaint and be told, "No, because of your personal characteristics, you cannot be harassed"?

Concerningly, it appears that the Broderick review recommendation to install the Independent Complaints Officer to receive complaints is being weaponised by some displaying classic narcissistic victimisation behaviour and at the same time is disenfranchising and excluding others, including white straight men in this place. Moreover, failing to address discrimination against heterosexuals perpetuates a cycle of inequality. It sends a message that some individuals are more deserving of protection than others based on arbitrary characteristics. It not only undermines the integrity of our legal system but also erodes trust in institutions and fosters increasing division within our society. Schedule 1 to the bill inserts new part 4D into the Anti-Discrimination Act 1977. The explanatory note to the bill states:

> **Proposed Division 1—**
>
> (a) defines what constitutes discrimination on the ground of heterosexuality, and
>
> (b) makes clear that a reference in the part to heterosexuality includes a reference to the person's being thought to be a heterosexual person, whether the person is in fact a heterosexual person or not.
>
> **Proposed Division 2** prescribes certain conduct and circumstances constituting discrimination on the ground of a person's heterosexuality (***heterosexual discrimination***) for the following—
>
> (a) employers,
>
> (b) commission agents,
>
> (c) contract workers,
>
> (d) partnerships,
>
> (e) local government councillors,
>
> (f) industrial organisations,
>
> (g) qualifying bodies,
>
> (h) employment agencies.
>
> **Proposed Division 3** prescribes certain circumstances and conduct constituting heterosexual discrimination for the following—
>
> (a) certain educational authorities,
>
> (b) a person who provides, for payment or not, goods or services to another person,
>
> (c) certain accommodation,

(d) registered clubs.

Proposed Division 4 provides that heterosexual vilification by a public act is unlawful. The proposed division also defines ***public act*** to include certain communications and conduct.

However, proposed section 49ZTP(2) makes clear that the following is not unlawful—

(a) a fair report of a public act,

(b) certain matter subject to a defence of absolute privilege,

(c) public acts done reasonably and in good faith in certain circumstances, including for religious instruction and scientific and research purposes.

The Shooters, Fishers and Farmers Party believes it is imperative that we acknowledge and confront heterophobia with the same rigour and determination that we apply to combating other forms of discrimination. By amending the Anti-Discrimination Act to include protections for heterosexual individuals, we send a powerful message that discrimination in any form will not be tolerated in our State. Furthermore, I urge my fellow members to consider the broader implications of the amendments. In a society that values diversity and inclusion, it is incumbent upon us to ensure that all individuals feel safe and respected in their communities.

By extending legal protections to heterosexuals, we reaffirm our commitment to upholding those principles and creating a more equitable society for all. We have a responsibility to combat discrimination in all its forms. It has been said in the past that straight people's rights are not diminished when society makes room for LGBTQIA+ people. Similarly, LGBTQIA+ people's rights are not diminished if society acknowledges the obvious—that heterosexuals have the same rights. Ensuring that no individual is left vulnerable to discrimination based on their sexual orientation is a basic human right. I commend the bill to the House.

Debate adjourned.

Motions

POLICE CITIZENS YOUTH CLUB PARRAMATTA

The Hon. RACHEL MERTON (10:25): I move:

(1) That this House notes that:

(a) the Police Citizens Youth Club [PCYC] Parramatta has been providing life-changing programs and support to young people in Parramatta since 1962;

(b) with more than 5,000 members, PCYC Parramatta is facing closure of its temporary George Street premises after 62 years in the community;

(c) the New South Wales Government committed funding to a Parramatta community facility in 2023 to include a $111 million five-storey building with dance and music studios, a homework hub, indoor gyms and multi-sports courts. The facility would also be home to Parramatta PCYC together with NSW PCYC. Details remain listed on the NSW Premier and Cabinet website; and

(d) the new state-of-the-art Parramatta PCYC facility would provide a new venue that is tailored to the growth, health, and wellbeing of the region's young people.

(2) That this House acknowledges:

(a) the tireless work of volunteers and community leaders to keep PCYC Parramatta operating, including committee chairman John Chedid, together with patron Jim Taggart and former lord mayor Bob Dwyer;

(b) the outstanding service and dedication of Senior Constable Draz Brkljac and Senior Constable Danny Eid at PCYC Parramatta in working with the young people in the region; and

(c) the continued efforts and dedication of PCYC Parramatta staff and volunteers for their unwavering dedication and commitment to the betterment of the Parramatta community, including club manager Carina Marks together with other staff members including Charles, Edy and Khushboo.

(3) That this House calls on the New South Wales Government to deliver a new home for the PCYC in Parramatta.

I move the motion because I am a staunch advocate for the preservation and enhancement of an institution that has been a cornerstone of Parramatta's business district and community since 1962. PCYC Parramatta is facing the closure of its temporary George Street premises after 62 years in the community. The proposed closure is not just a logistical or financial issue; it is a direct assault on our responsibility to support and safeguard the future of our young people in Greater Western Sydney. The PCYC Parramatta, with its more than 5,000 members, has been a necessary haven for the youth in our community, providing life-changing programs. The decision to close its doors due to untenable finances related to its lease is not just a loss of a venue but also the dismantling of a legacy that has empowered thousands of lives over six decades.

Let us reflect on the timing of the closure. It comes at a critical time when youth crime in New South Wales is alarmingly on the rise. The PCYC has been instrumental in keeping young people off the streets, providing

them with constructive and engaging activities that steer them away from the grip of crime and delinquency. Closing the doors on the facility is not just a disservice to Parramatta but also a blow and a setback to our ongoing fight against youth crime. It is recognised that the operation of a PCYC in an area results in a decline in youth crime in that area. As the motion states, the former New South Wales Government committed funding to a Parramatta community facility in 2023, including a $111 million five-storey building with dance and music studios, a homework hub, indoor gyms and multi-sports courts. Venues NSW was the announced anchor tenant in the building next to CommBank Stadium in Parramatta. The facility was also to provide a new home to Parramatta PCYC, together with PCYC NSW.

The facility details remain listed on the New South Wales Premier and Cabinet website; however, its future hangs in uncertainty following the election of the Minns Labor Government in 2023. Such lack of continuity and respect for funding commitments reflects a flippant attitude towards our community's needs and aspirations. Adding to the uncertainty is the absence of dialogue and transparency in the process. Stakeholders, including dedicated volunteers, community leaders and the Police Force, have been left in the dark, their inputs and concerns sidelined. The abrupt nature of the decision, taken without proper consultation or consideration of alternative solutions, is a testament to a broader issue of neglect towards important community-centric spaces like the PCYC.

The House must acknowledge the tireless efforts of individuals like PCYC Parramatta committee chairman John Chedid, together with patron Jim Taggart and former lord mayor Bob Dwyer. This motion also recognises the outstanding service and dedication of Senior Constable Draz Brkljac and Senior Constable Danny Eid at PCYC Parramatta for working with the young people. The motion recognises the continued efforts and dedication of PCYC staff and volunteers, their unwavering dedication and their commitment to the betterment of the Parramatta community. The club is well led by club manager Carina Marks, together with other champion staff members Charles, Edy and Khushboo. Their unwavering commitment has ensured PCYC remains a beacon of hope and positivity in the community. It is now our duty to support them and the thousands of young lives they impact.

I call upon this House, and more specifically the New South Wales Government, to recognise the committed funding for this announced new Parramatta facility next to CommBank Stadium in Parramatta. The land remains vacant. We must explore all options and possible avenues to secure a new home for this vital institution. The investment in new facilities is not merely a financial transaction but a testament to our commitment to the young people of Greater Western Sydney. We cannot stand idly by and watch as the doors are closed on PCYC Parramatta. It is more than a building; it is a community, a family and a lifeline for many. It embodies the spirit of collaboration, resilience and community support. I call on the New South Wales Government to deliver a new home for the PCYC in Parramatta.

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) (10:30): I join the Hon. Rachel Merton in acknowledging the fantastic work of the PCYC. I have had the opportunity to engage with it on a couple of occasions in my capacity as the Minister for Youth. I have visited the PCYC in Daceyville and recently had the chance, along with the member for Port Macquarie, to visit the fantastic, soon-to-open new PCYC at Hastings community college. It was great to visit that site with Leslie. It is co-located with the school, one of the first times that has ever happened. It will be a fantastic opportunity.

The Hon. Sarah Mitchell: It was ours.

The Hon. ROSE JACKSON: Yes, it was a fantastic investment. The starting premise of my contribution is that the Government values the work of the PCYC. I acknowledge everything the mover of the motion said about the important role that PCYCs play. It is important to clarify, though, that the New South Wales Government does not directly fund PCYC infrastructure. The PCYC is a charity that sources its funding from multiple locations. The NSW Police Force supports it, providing police officers at its centres and funding club managers. It is not the role of the New South Wales Government to deliver direct funding for PCYC infrastructure. Whilst I support a lot of the principles of this motion, I will move an amendment to address things in the motion that are slightly misleading. Accordingly, I move:

That the question be amended as follows:

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

(c) the Opposition made an election commitment to fund a Parramatta community facility in 2023 to include a $111 million five-storey building with dance and music studios, a homework hub, indoor gyms and multi-sports courts. The facility would also be home to Parramatta PCYC together with NSW PCYC; and

(2) In paragraph (3) omit "That this House calls on the New South Wales Government to deliver a new home for the PCYC in Parramatta." and insert instead "That this House supports PCYC Parramatta's plans to find a new home."

Regarding paragraph (1) of the amendment, that is actually what happened, of course. When Labor made commitments it was somehow problematic, but on 1 March 2023—a date many members will recall well because

it was weeks out from the last State election—the now Opposition made an election commitment in a failed attempt to secure the seat of Parramatta. It was entitled to do that, but let us call a spade a spade: The New South Wales Government committed to funding nothing; it was an election commitment by the now Opposition. My amendment seeks to remove "details remain listed on the NSW Premier and Cabinet website" from paragraph (1) (c) of the motion because the NSW Department of Premier and Cabinet does not exist anymore, which is misleading.

Paragraph (2) of my amendment proposes replacing paragraph (3) of the motion with a statement that this House supports PCYC Parramatta's plans to find a new home because that is what we are keen to do. We want to work with PCYC Parramatta. It is a shame that in 2015 it decided to sell its former facility for $31 million and the former Government stood idly by, and that five minutes to midnight before the election a commitment was made by those opposite. I support the principles of the motion and the amendment, and I thank the member for Parramatta Donna Davis for her advocacy on this issue.

The Hon. SAM FARRAWAY (10:33): I did not get to listen to all of the Government's response to this motion, but the tail end sounded like excuses. It sounded like passing the buck and there was no genuine support for the Parramatta PCYC. Whilst I do not live anywhere near Parramatta, I have had a lot to do with PCYCs across regional New South Wales. I have seen firsthand the good work that PCYCs do, particularly in regional communities and with disadvantaged regional youth. The former Government did care and put money on the table. It had strategic programs—like the Stronger Country Communities Fund—that quarantined specific funding for youth officers, programs and infrastructure. Mr President, some of those were delivered in your time as the former Minister in that space.

Today there is a clear contrast between members on each side of the House around PCYC centres. The Government wants to talk about the politics of an election. It wants to talk about passing the buck. It does not want to talk about solid commitment, investment and support behind PCYC centres. However, the Opposition has a clear track record of collaborating with PCYC centres both in the city and in the bush to deliver the services that actually make a difference. For example, we put youth support officers in the Walgett PCYC, which has disadvantaged youth, and ensured that the PCYC centre was a safe place. It was a home for disadvantaged youth, a place where serving police officers could mentor youth in that community.

It does not matter whether members are talking about support for a building and a commitment in Parramatta or what the former Liberal-Nationals Government delivered for PCYC centres such as Walgett. The Government needs to stump up and do better in this space. This should not be about politics; this should be about supporting the community of Parramatta, just like we support communities with PCYC centres across the State.

Ms SUE HIGGINSON (10:36): On behalf of The Greens, I too acknowledge the PCYCs, the incredible work they do across the State and how important they are. Our PCYC in Lismore got fairly smashed in the floods and it was a fantastic celebration when it reopened. Like many of our facilities, the club is absolutely on its knees and trying its very best to maintain its presence and its essential service to the community. I think it is now 30 years ago that I was dragging one of my little ones off to gymnastics classes at the PCYC.

The Hon. Sarah Mitchell: Did you have a go?

Ms SUE HIGGINSON: Always! I can bend and flex like you have never seen. I know how essential PCYCs are, particularly for communities in the regions. For so many young people with literally nowhere else to go after school, the PCYC has been there. Those tremendous mentors spend their lives in those centres with their eyes, their ears and their hearts focused on the young people who otherwise may fall off the tracks. We absolutely support any assistance given to the PCYCs. However, I also support the Government calling a spade a spade. It is important to acknowledge what has happened in this particular circumstance. The PCYC did sell the building and is looking for a new home. It should be fully supported in that, and we do support it in that. In doing so, we support the Government amendment to this motion.

The Hon. DAMIEN TUDEHOPE (10:38): I too support the motion of the Hon. Rachel Merton in relation to the PCYC in Parramatta. This PCYC has been running with nearly 5,000 members for 62 years. John Chedid has been the president of the PCYC since 2001. The commitment of this PCYC to providing opportunities for young people in Parramatta and Western Sydney generally is established in the area. To think that this centre would be allowed to close, with members told to try to find spots in other PCYCs in adjoining or other areas, is a slap in the face to the people of Parramatta and the services the club has provided.

The Hon. Rachel Merton put it eloquently when she acknowledged the great service given by serving police officers and volunteers of the PCYC and the enormous benefit it brings to the community. For the Minister to say this was a late election commitment ignores the fact that much work had been done on the lodgement of applications for WestInvest opportunities, and I think this was one. That showed there was a commitment by the

former Government to invest in Western Sydney with WestInvest money. Unlike this Government, which has shown no disposition to invest in Western Sydney and in fact ignores them and talks rather than ever does anything, we as a government were prepared to invest in this PCYC and plans were well advanced to deliver the new PCYC infrastructure.

There is a question mark. When a building is sold in 2015 for $31 million, the question arises: Where is that money now and why is that money not being used for the purposes of establishing alternative opportunities for the PCYC in Parramatta in conjunction with other potential funding and support from the State Government? The organisation claims that it is not commercial for it to continue where it was. It had a $31 million nest egg, one would have thought, from the sale of its previous building and there is no explanation as to what the plans are for the use of that money and the reinvestment in PCYC facilities. I reject the suggestion from the Minister that this was a Johnny-come-lately thought. It was a demonstration by the previous Government that we were concerned for the people of Western Sydney. [*Time expired*.]

The Hon. RACHEL MERTON (10:41): In reply: I thank all members for their contributions to this important debate and for sharing their perspectives and experiences on this issue. I thank the Hon. Rose Jackson for her interest and support, and I affirm the comments of the Hon. Damien Tudehope. The Parramatta facility and the options still remain listed on the Premier and Cabinet website; I am happy to bring up the screen and show members. It was a well considered, planned and engaged facility to do with Venues NSW. Funds were committed from WestInvest and it was at phase three. Following the election of a new government, the plans are in limbo, the uncertainty is high and the volunteers are disillusioned. Does the Government care? Will the Government honour any of those commitments?

I also thank the Hon. Sam Farraway for his contribution and very much appreciate his experience and the success and record of PCYC in the regions. I commend all the volunteers for what they are doing there. I thank Ms Sue Higginson for her contribution. I rate gymnastics high at the PCYC. I did not take to the top bars but the mats are fun. Ms Sue Higginson mentioned the importance of the mentoring and the teaming up with some of the vulnerable young kids. The PCYC is the difference in their lives, keeping them on track and remaining connected with them. I think that is absolutely critical.

I thank the Hon. Damien Tudehope for his contribution and for outlining the funding commitment and the circumstances of that. It was well planned. It was documented. There was consultation. It was well known and recognised, and those details still remain available today on the relevant government website. In my conversation with the CEO of PCYC in New South Wales all options were on the table, including the funding equation and whether it will be a State or Federal PCYC. Everything must be explored. We owe it to them: the volunteers, the history of the club and their service. This is an important debate. I will not back down on the issue. Given the detrimental impact it will have on the young people of Western Sydney, I remain committed. I thank everyone for their contributions. I reaffirm recognition for PCYC Parramatta, the 5,000 members, the board and the committee. They are champions— [*Time expired*.]

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

Motion as amended agreed to.

Visitors

VISITORS

The PRESIDENT: I acknowledge some important people in the public gallery: Jaimi Greenspan, Amelia Farrant, Madeleine Russell, Olivia Russell, Greta Salgo, Elana Carnevale, Xavier Watkins and Tess Deverall, who are all in the Chamber today as the guests of the Hon. Wes Fang. They are all very welcome.

Motions

FORESTRY INDUSTRY

Ms SUE HIGGINSON (10:45): I move:

(1) That this House notes that:

(a) on Tuesday 19 March 2024, the Environment Protection Authority [EPA] commenced its prosecution against the Forestry Corporation of NSW for failing to retain habitat for wildlife by felling giant and hollow-bearing trees in Wild Cattle Creek State Forest near Coffs Harbour;

(b) the EPA alleges nine breaches occurred as a result of forestry operations in 2020, including the failure of the Forestry Corporation to retain six giant trees and seven hollow-bearing trees;

(c) the EPA alleges the Forestry Corporation failed to ensure harvesting debris did not accumulate within five metres of the base of a retained tree;

(d) such debris can be harmful to the tree and is a fire hazard;

(e) protection of giant trees and hollow-bearing trees is important because they can provide significant habitat and biodiversity value for threatened species, such as:

(i) koalas;

(ii) greater gliders;

(iii) yellow-bellied gliders; and

(iv) forest owls.

(f) Wild Cattle Creek State Forest is home to koalas that rely on critical habitat like giant and hollow-bearing trees;

(g) there are strict forestry rules in place to protect these trees and preserve habitat that offers important shelter and food to local wildlife;

(h) each breach carries a maximum penalty of $2 million;

(i) this is the same logging operation that members of the community First Nations man Neville Kirk and local woman Maddie Stephenson bravely stopped to try to prevent further breaches of the law, yet they were arrested and charged; and

(j) this unlawful logging operation was being undertaken at the time and by the same loggers who violently assaulted Mr Mark Graham and Mr Andre Johnstone as they were travelling through Wild Cattle Creek on a public road.

(2) That this House calls on the Government to:

(a) stop the Forestry Corporation from the industrial logging that is damaging and destroying the values of our public asset, the promised Great Koala National Park;

(b) immediately create the Great Koala National Park; and

(c) immediately protect all koala habitats on public land in New South Wales.

It is always a good day when the Environment Protection Authority prosecutes environmental vandals. The tragedy of this is that the Forestry Corporation is a known bad faith actor that is still regularly engaging in noncompliant logging and is only occasionally brought to heel by the Government, and seemingly never by the Minister that has direct responsibility for it. The prosecution that was heard yesterday was in relation to the illegal logging of habitat, including six giant trees and seven hollow-bearing trees at Wild Cattle Creek where the unlawful logging occurred. It is critical koala habitat and it is also home to other threatened species, including greater gliders, yellow-bellied gliders, forest owls and glossy black cockatoos.

The prosecution has fallen between a confluence of actions by the New South Wales Government that ostensibly seek to increase koala populations: the launch of the koala strategy discussion paper, the upcoming koala summit this Friday and a very minor change to the Cumberland Plain Conservation Plan. I understand and appreciate that the Minister for the Environment has a personal and political strategy, and I know she cares deeply for koalas and the environment. However, I would not be doing my job if I was not critical of the actual outcomes that will flow from the measures that are and are not being undertaken by the Government. The koala summit and koala strategy discussion paper are being held up as proof of progress towards preventing the extinction of koalas, while logging—illegal logging—continues in the footprint of the proposed Great Koala National Park.

The Minister for Agriculture daily washes her hands of protecting agricultural lands and productive waters from the devastating impacts of the ongoing reckless logging by a State-owned corporation that she is responsible for. Her one, oft-repeated response to questions about destructive logging is that she supports sustainable logging into the future. That represents an abject failure to understand the issues and does not grapple with the fact that the marketing spin from the Forestry Corporation and the Australian Forest Products Association has scientifically been disproven. Native forest logging, including forests that have been previously logged and regrown, is not sustainable. It is a downward spiral of environmental degradation that is impacting New South Wales at a landscape level and would take more than 100 years to reverse even if we start today. That is exactly why it is critical to end native forest logging immediately.

The Minister for Agriculture has promised an imminent announcement about the expansion of plantations in New South Wales, something that without more detail is creating equal parts hope and panic among groups that are dedicated to preserving the precious and life-giving forests of New South Wales. Will we see an announcement that there will be carve-outs from more State forests that will be labelled plantations? If so, that would be a truly terrible outcome that would concentrate the unsustainable logging cycles that have put native forests into crisis. Or will the Government put forward a vision that includes acquisition of already-cleared land

for the purpose of dedicated farmed forestry that will actually sequester carbon, create new industry opportunities in the regions and guarantee the supply of wood products that are genuinely needed by New South Wales?

That option is the only true option for a forestry industry in the future. Anything else is just a surrender to vested interests and the ideologues in the National Party, who are obsessed with destroying native forests as part of the ongoing colonial project. The nine unlawful acts during logging operations at Wild Cattle Creek are just the tip of the iceberg. When it comes to the destruction of koala habitat within a future national park, the prosecution taken by the EPA could result in a maximum fine in the order of $18 million. That is similar to the operating loss of the hardwood division of Forestry Corporation, which has been running at a loss for the past two years. With a regulator that is afraid to punish it for its continued unlawful acts, it is hard to see how it will ever get back into profit.

The Government needs to heed the advice and listen carefully. It will realise it is for its own good. It should take the millions of dollars that are being endlessly burnt by the unprofitable native forest industry and invest it in future transition plans for workers, communities, industry and the environment. We need to build a system of protecting native forests and regenerating farm forestry estates. I note that on the weekend thousands and thousands of people marched in the streets of Hobart in hope and protest against the unsustainable continued logging of the State's very precious, life-giving native forests.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (10:51): I make a contribution to debate on the motion on behalf of the Government. I indicate at the outset that the Government opposes the motion. The forestry industry is an important part of the New South Wales economy. It employs over 22,000 workers across the State and supports many regional communities. It provides vital resources to many industries and is crucial in addressing the State's housing crisis. I will deal with the motion on the facts. The Great Koala National Park was one of the Labor Party's most significant commitments at the last election. We are getting on with the job of delivering on the park. As part of that work, I issued a directive to Forestry Corporation to halt all harvesting in the areas identified as koala hubs within the proposed park. I also stated that there was to be no increase in forestry operations elsewhere in the State to make up for the shortfall left by discontinuing logging in the hubs. However, I will not do what the motion calls for, which is to shut down an entire industry, put thousands of people out of work and cost the State hundreds of millions of dollars at a bare minimum.

I note that the land in this area dedicated for plantation timber will not be included in the Great Koala National Park. The mover of the motion is right to say that plantations are the future in this space. As members would be well aware, the Government wishes that they had been planned for 20, 30 or 40 years ago. They were not, but we are getting on with the job of planning for those going forward. I will touch on paragraph (j) of the motion. I do not under any circumstances tolerate violence at all. I will say that again: No violence is tolerable at all in any workplace. I will also not tolerate forestry workers being stalked and doxed online. Their families are being harassed on the street and on social media. That is the story that is not being told in this debate.

I believe in the right to protest—of course I do—and in people's right to have a say, but I do not support workers being berated and harassed for doing their job. For too long forestry workers have been ignored and overlooked in the public debate and that has to stop. They go to work, like all of us, to put food on the table and pay the bills. They should not be met with harassment and attacks, whether on the job site or online. The New South Wales Government proudly supports a sustainable forestry industry and our forestry workers. I ask members of the House to oppose the motion.

The Hon. SAM FARRAWAY (10:53): I will call out the motion for what it is: The Greens yet again politicising something that is before the Environment Protection Authority. The EPA was set up with a task and it has a job to do to go through its course of actions to determine what Forestry Corporation has or has not done. There is something called sustainable logging. I suggest The Greens work with the Government and the Opposition and they might get some outcomes in this space.

I will go to paragraph (h) of the motion. First, I challenge whether that is factually correct. Second, I have come across Mr Mark Graham before. He is a professional protester, he is unreasonable and he is nothing short of a pest at times. As the old saying goes, "You cannot reason with unreasonable people." As a former Minister I came across Mr Graham, and he was nothing short of a pest. I wish I could have been able to reason and sit down with him on a number of issues, but that was not to be the case. There are a significant number of jobs and a model of coexistence here. The timber industry has always been, and will continue to be, supported by the Liberals and Nationals.

As for the Great Koala National Park, that is a commitment from the Labor Government. It is up to them to work with The Greens to deliver on that challenge. Liberal and Nationals MPs up and down the coast of New South Wales have made very clear their thoughts on the Great Koala National Park. The Opposition supports

the coexistence of timber or other industries in and around our environment. If The Greens want to ban all logging and immediately create the Great Koala National Park, they should take it up with the Government. But the reality is that unless there is a coexistence model, that will not work. The EPA has a job to do. I would question whether paragraph (j) is factually correct. Mr Mark Graham can be incredibly unreasonable at times. Violence is not acceptable at all. The mass disruption that some of these protesters cause to the communities that rely on forestry, and to the thousands of jobs and people who work in and around that industry, is also completely unacceptable. For The Greens to try to politicise this when it was before the EPA yesterday says it all.

The Hon. MARK BANASIAK (10:56): The Shooters, Fishers and Farmers Party opposes the motion. We are also strong supporters of forestry. We do not necessarily condone violence. The incident that the member mentions in paragraph (j)—

Ms Sue Higginson: Not necessarily—are you sure about that?

The PRESIDENT: Order! The Hon. Mark Banasiak has the call.

The Hon. MARK BANASIAK: I will speak without interruption. We do not condone that violence. The incident that Ms Sue Higginson mentions in paragraph (j) was brought before a court of law and adjudicated on. It should be noted that even during those proceedings, the Mark Graham that she mentioned had to be crash-tackled to the ground outside the court because he was going back and forth and filming people when he was not allowed to. That speaks to the character of the person mentioned in paragraph (j).

Ms Sue Higginson: I was there. That's not true.

The Hon. MARK BANASIAK: So were my supporters.

The PRESIDENT: Order! Ms Sue Higginson will cease interjecting.

The Hon. MARK BANASIAK: Paragraph (j) is also factually incorrect. I am aware of the incident and there were actually two crews in the forest. Mark Graham was seen by the first crew, not the second crew. The people who were accused and found guilty of assaulting Mark Graham were not seen by him; he saw the second crew. This is why details are important. Each crew has a colour they spray on a tree to identify that it has been cut down by a particular crew. The crew that Mark Graham saw was not involved in the incident where the assault occurred. The crew that Mark Graham saw as he sped past saw exactly that: a member of the public speeding through a working public forest at high speed, essentially breaking the law. I suggest that paragraph (j) is factually incorrect because The Greens have not identified the people they think they have. There were actually two crews. The motion should be opposed or, at the very least, paragraph (j) should be struck out.

Ms SUE HIGGINSON (10:59): In reply: I thank all honourable members for their contributions. Mistruths have been spoken. Importantly, I inform the Hon. Sam Farraway that yesterday the Forestry Corporation pleaded guilty to all of the matters. That is what happened in the court. Sentencing will take place at some point. It is totally appropriate to comment on matters in public courts when vandals in the public forest plead guilty to vandalism. It is totally appropriate to speak about it in this Chamber. It is time to stop the sustainable logging spin. Talk about calling a spade a spade. What is happening in our public forests right now is nothing short of vandalism. There is nothing sustainable about it.

The PRESIDENT: Order! According to sessional order, business is now interrupted for questions.

Questions Without Notice

MOREE YOUTH CRIME

The Hon. SARAH MITCHELL (11:00): My question is directed to the Leader of the Government. Given the known links between non-attendance at school, including as a result of suspension as well as absenteeism, will the Minister advise why there are no specific education initiatives included in the Moree pilot in response to regional youth crime?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:00): I thank the honourable member for her question. I note that the Hon. Courtney Houssos represents the education Minister.

The Hon. Sarah Mitchell: It's a whole-of-government approach.

The Hon. PENNY SHARPE: I am just making some preliminary remarks. I am happy to answer this question. The Moree pilot program is extremely important. It is targeted intervention to deal with the difficult youth crime environment in Moree at the moment. There are a number of different parts to the package. I assume that National Party members have been paying attention to that but if they have not I will run through some of them. There are the changes in the Bail and Crimes Amendment Bill 2024 that we will be debating tomorrow.

There are the wraparound services that we are putting in place. Money is going to the council to assist it to work with existing programs so it can work late into the night and help coordinate that. Work is being undertaken to look across all of the different community services. The one message that I think everyone has been given, which has been well and truly received by this side of the House, is that a lot of programs are there but they are not well coordinated and they are not working well together. Schools are obviously an important part of that and schools will be part of the solution as we roll out this pilot.

The Hon. SARAH MITCHELL (11:02): I ask a supplementary question. Will the Minister further elucidate her answer about schools being part of the pilot as it is rolled out and provide some more information as to why that engagement has not occurred yet and what the Government envisages it will look like in due course?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:02): There are some assertions from the Deputy Leader of the Opposition that I do not accept. In relation to the role of schools in the coordination of community services across that area and working with young people, everyone is on the same page as we desperately want young people to be attending school and learning at school. As this work is undertaken over the next 12 months, schools will be part of it. If there is more specific information, I will seek further information and provide it on notice to the member.

ENDANGERED SPECIES

The Hon. Dr SARAH KAINE (11:03): My question is addressed to the Minister for Water. Will the Minister update the House on the work that the New South Wales Government is doing to save endangered species?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:03): I thank the honourable member for her question. It is World Frog Day and the New South Wales Government has leapt into action. No more frogging around on this side of the House. We have taken action to save the Booroolong frog in this instance. The Booroolong frog is a native species from northern New South Wales that was massively impacted by the drought in 2019. Species numbers plummeted. This is really a triumph-of-science story. Our quick-thinking New South Wales Government scientists from the surface water team in the Department of Climate Change, Energy, the Environment and Water, Taronga Zoo and the CSIRO grabbed some of the last-remaining population of those frogs and brought them in. We have been running a breeding program at Taronga Zoo, and they have been breeding like frogs there.

We recently released the second batch of hundreds of Booroolong frogs back into the wild near Tamworth. Through the quick thinking of our scientists and the teams working together at Taronga Zoo, we have taken a species—a really important native species that plays an incredibly important part in the ecosystem of the creeks and streams in northern New South Wales—and brought it back to population health. What a great success story it is on World Frog Day. It is a story that has a hoppy ending. It is important to recognise that the Booroolong frog is just one species. It sits alongside all of the other work that my colleague the Minister for the Environment is leading. As Minister for Water, when it comes to our water-based flora and fauna, I know it is very important to think about how we can support all of the elements of our ecosystem.

I also want to call out the work that the team in the water department has done on environmental DNA, or eDNA, which is a critical way that we track these frogs. As members can imagine, the frogs are tiny. I googled them before I met them, and I thought they were a bit tiny, green and slimy. They are incredibly cute, but they are very small. Once they are released into the wild, obviously it can be difficult to find them again to figure out whether or not the program has been a success. The team in the department created the new method of eDNA tracking, which is like a little froggy fingerprint. When we release the frogs back into the wild and they go onto creek beds or streams and leave their little froggy fingerprints, we use the eDNA to track them. The good news is the eDNA shows that the program is working and that the frogs are being re-established. On World Frog Day I take a moment to say thank you to our scientists for yet another success story. Go the frogs.

CASHLESS GAMING TRIAL

The Hon. NATALIE WARD (11:06): My question is directed to the Leader of the Government. Given the Premier has expressed commitment to transparency and noting that the report into the cashless gaming trial at West Newcastle by Professor Paul Delfabbro was handed to the Government in September 2023, why is the Government refusing to release the results ahead of the report of the separate expanded trial, which is not due until November 2024? What is the Government hiding from the people of New South Wales?

The Hon. Daniel Mookhey: The Hon. Natalie Ward is looking very comfortable in that chair.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:07): Welcome back. Comrade Tudehope was out with the firies. We welcome Comrade Tudehope to the Chamber. I am just so happy to see him. I was equally happy to see the Hon. Natalie Ward sitting in the big chair. But that is okay. I will answer the question now. I thank the member for her question. I do not necessarily agree with some of the assertions in relation to the question, but I can provide the following information to the House.

In July last year, the New South Wales Government established an independent panel of experts to oversee a cashless gaming trial on electronic gaming machines in a range of venues. In September 2023 the panel issued invitations to clubs, hotels and gaming machine technology providers to apply to be part of the trial. The panel received a total of 52 submissions including 10 applications from technology providers, 27 applications from clubs and 15 applications from hotels. Following a detailed assessment the panel approved the following technology providers to participate in the trial: Aristocrat, Ebet, IGT, Independent Gaming, and Light and Wonder.

The panel also approved 28 venues to participate in the trial. The venues comprise 21 clubs and seven hotels located across 24 local government areas. Eight regional venues will participate, including three located in border towns. The technology will be installed on more than 4,400 electronic gaming machines. Members would be aware that we took a much more modest suggestion to the election. We are extremely pleased that there were so many participants in the trial.

The Hon. Natalie Ward: Point of order: I have listened carefully to the Minister's answer and I appreciate the detail she is giving about the trial, but my question was more specific than that. I asked about the results of the trial and when they will be released. I ask that you draw her back to that specific part of the question.

The PRESIDENT: The Leader of the Government was being directly relevant to the issue but not to the question. The Minister will be directly relevant to the question.

The Hon. PENNY SHARPE: In relation to the Newcastle trial report, the New South Wales Government is delivering on the key commitment to trial cashless gaming in clubs and hotels in metropolitan and regional New South Wales. The report into the cashless gaming trial at Wests Newcastle has been referred to the independent panel to consider as it works to set up an expanded cashless gaming trial. The independent panel will report back to the Government on all cashless gaming trials as well as recommendations for further reform in November 2024.

WOOD HEATERS

Dr AMANDA COHN (11:10): My question is directed to the Minister for the Environment. There is clear scientific evidence that there is no safe level of particulate air pollution. The impact of particulate pollution on the health of children, the elderly and people with heart or lung conditions has been demonstrated yet again in *The Medical Journal of Australia* in January this year. In the Australian Capital Territory, the health impact of wood heater use has been found to be comparable to that of the smoke during the 2019-20 Black Summer bushfires. That has led to the Australian Capital Territory Government phasing out wood heaters. Experts have criticised the current Australian and New Zealand standards for wood heaters for not reflecting the pollution emitted by heaters under real-world operating conditions. Does the Minister think that the aims of the Clean Air Strategy can be met without further action to address the particulate pollution generated by wood heaters?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:11): I thank the honourable member for her question and her ongoing and close attention to this matter. It is true that air quality has real impacts on people and some terrible outcomes result from particulate pollution. I note that the question asked for an opinion, which I will not provide, but I will provide some information to the House about the Clean Air Strategy. At the heart of the member's question is whether the Government is going to ban wood-fired heaters. The short answer is no, we are not going to do that; my deputy chief of staff, who is from Armidale, would be very angry if we did. But smoke from wood-fired heaters raises some serious issues. It has always been a challenge because we cannot deny that it has an impact on air quality and human health. A range of activities have been undertaken over several decades to get people to think about the kinds of wood-fired heaters they have and to make them more efficient and reduce the particulates released into the air.

Are we are going to follow the Australian Capital Territory and ban wood-fired heaters? No, we are not. For some people, they are the only and the cheapest form of heating. There would be significant issues if we simply banned wood-fired heaters overnight. I am not saying that the member is suggesting we do that, but I will be honest with the House that we are not moving that way. We always need to do more work to improve air quality. The air we breathe and the water we drink are our most fundamental needs for life. Looking after those things is a key priority for this Government, and for all governments. In relation to air quality, we have an

extensive network of air quality monitors. We take it very seriously. We are working through an air quality strategy that goes to 2030. I am sure that we will continue to discuss these issues into the future.

Dr AMANDA COHN (11:13): I ask a supplementary question. It relates to the comments made by the Minister that recognise the health impacts of particulate pollution. My question was not whether the Government will ban wood heaters. As the Minister has said that she is not going to do that, what other measures might be considered—for example, incentives—for households who depend on wood heaters to upgrade to cleaner and healthier sources?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:14): I was not trying to verbal the member; I was trying to deal with the vibe. Wood heater smoke pollution is a priority action of the Clean Air Strategy. We are looking to support approaches that include better wood heater performance standards, regulatory planning and education tools available to local councils. The New South Wales Government and local councils use several methods to manage wood smoke, including regulating the sale and installation. Longer term there might be an opportunity for energy-efficiency-type arrangements. I am not committing to it today, but I am happy to look into that.

WOLLI CREEK REGIONAL PARK

The Hon. MARK BUTTIGIEG (11:15): My question without notice is addressed to the Minister for the Environment. Will the Minister inform the House about the recent Wolli Creek Regional Park expansion?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:15): I thank the member for the question. This is an important election commitment made by the Minns Government and, importantly, delivered by this Government. It is good news all round because we have added five hectares of protected land to the Wolli Creek Regional Park. For members who have never been to the Wolli Creek Regional Park, I encourage them to visit. It is an incredible piece of precious and rare urban bushland, with picnic areas, cleared areas and parks, along the Cooks River and Wolli Creek. It provides families across Sydney with greater access to nature and runs between Bexley North and Earlwood.

The incredible story of the park started in the '80s, when part of the bushland was due to be flattened as a result of the new runway at the airport. Wolli Creek Preservation Society has been working diligently since then. I give a big shout-out to Peter Stevens and everyone at the society, who do not only bush care but also rock-solid advocating. They have literally stopped bulldozers running over one of the few pieces of virgin bush that still exists within the Sydney Basin. It is extremely important and they have done very good work. There is now a beautiful walking track through the park called the Two Valley Trail. I have walked through that area many times. Anybody looking for a quiet time can take their dog and their kids and feel like they are a million miles away, when really they are just over the top of the M5 tunnel.

As we deal with a denser city, seek to manage our urban parklands and preserve the important remnant bush that exists within the Sydney Basin, Wolli Creek Regional Park is an incredibly important marker for what can be done. It is an outdoor classroom for kids and a picnic area for families. It is a place for the bush, with over 450 species of plants and animals. The bird life is particularly incredible and the grey-headed flying fox is a vulnerable species that finds a safe haven in the park in the middle of the city. There is more work to be done. I acknowledge that there are another five hectares to go to finally meet the vision that started with the Wolli Creek Preservation Society, was continued by Bob Carr and the previous Government, and will be completed by the Minns Labor Government to provide this urban bushland with protection for the future. It is a green oasis for thousands of people to enjoy.

SHARK NETS

Ms CATE FAEHRMANN (11:18): My question is directed to the Minister for Agriculture. On Tuesday last week an Indo-Pacific bottlenose dolphin became entangled in a shark net off Thirroul Beach and drowned. Over the weekend a giant leatherback turtle—a threatened species—was rescued in shark nets off Manly, while another turtle was reportedly found in nets off Dee Why. How can the Minister continue to justify the ongoing slaughter of threatened marine life when alternatives exist, like the 305 SMART drumlines in 19 coastal local government areas stretching from Tweed to Bega, the 37 tagged shark listening stations and the surveillance drone patrols at 50 beaches across the State?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:19): I thank Ms Cate Faehrmann for the question. I am aware of the incidents that occurred over the course of the last week and nobody wants those things to happen. We absolutely want to make sure that we are protecting marine life as much as possible, but it is also the responsibility of the Government to factor in human safety at our beaches. I have outlined a number of times in this House that

we are trialling a range of technologies, some of which have been outlined in the question. We are trialling a number of those technologies over the course of this summer and autumn period. I will look at the results and at how each piece of technology worked over the course of the summer and make some assessments about what is working and what is not working.

Where there is technology that potentially could replace shark nets in the future, that is certainly where we would like to head. But it is very expensive technology and, if we invest in those things, we need to make sure that they provide the safety for swimmers that they are supposed to provide. In the meantime, the shark nets are in place at our beaches. I am looking forward to seeing the results of the technology that has been trialled over the summer and will make some assessments off the back of those results.

Ms CATE FAEHRMANN (11:20): I ask a supplementary question. Will the Minister elucidate her answer? The Minister said that she is factoring in human safety. What is the evidence that she is relying upon when factoring in that human safety? What is the evidence behind it in terms of shark nets keeping humans safe?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:21): I thank the member for the supplementary question. The shark management program that is in place in New South Wales has been effective for decades. That is what I am relying upon. Again, I look forward to seeing the results of the technology that has been trialled. I hope that it is as effective. I will assess the results in a careful, considered way, just as the community would expect, and will see if there are other means of protecting people on our beaches that can be used based on the trials that we have been conducting over the summer.

The PRESIDENT: I advise members that the New South Wales fire brigade is commencing a protest drive and street march in Macquarie Street. There will be significant noise from fire vehicle sirens and horns, but please be assured that there is no emergency, and no action is required.

REGIONAL TRAINS

The Hon. SAM FARRAWAY (11:22): Mr President, there is an emergency and the Government will not deal with it. My question is directed to the Minister for Roads, representing the Minister for Regional Transport and Roads. What is the projected date that the first of the new regional trains, which are currently sitting at the Dubbo maintenance facility, will be ready for testing on the network?

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) (11:22): I thank the member for the question and for his interest in regional transport and in the train network. I particularly thank him, though, for his interest in the Central West of this State. His interest in the Central West of this State has been noted by those opposite.

The PRESIDENT: Order! I make a serious point: Hansard needs to hear what is happening and it will be more difficult for them through this. I ask everybody to show due consideration. The Minister has the call.

The Hon. JOHN GRAHAM: I was simply thanking the member for his interest in the Central West of the State. It has been noted by those opposite. I do not have the specific date with me, but I am very happy to take that on notice and obtain an answer from the Minister.

The Hon. SAM FARRAWAY (11:23): I ask a supplementary question. Will the Minister elucidate that part of his answer about the rollout of the new regional fleet? Will the Minister come back to this House or now answer whether the Government would consider replacing the Bathurst Bullet service—from an intercity train to a short regional train?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:23): Again, this is part of the member's interest both in regional transport services and in the important Central West part of the State. It is appropriate for me, having taken part of the former question on notice, to also provide any other information that the Minister can to further answer the member's question.

COMMONWEALTH-STATE FUNDING AGREEMENTS

The Hon. CAMERON MURPHY (11:24): My question is addressed to the Treasurer. Will the Treasurer explain how New South Wales essential services are underpinned by Commonwealth and State agreements on health, education, infrastructure, or even the NDIS?

The Hon. DANIEL MOOKHEY (Treasurer) (11:24): I thank the member for his ongoing interest. Comrade Murphy has now been joined by Comrade Tudehope in terms of his enthusiasm about those particular questions. I have to say that my good comrade has a sound knowledge of just how dependent various States are

on Commonwealth-State funding agreements. Health is mentioned, transport is mentioned, infrastructure is mentioned, education is mentioned—and even the NDIS. I point out again that this accounts for a lot of the State Government's revenue. It arises from the fact that the Federal Government has the majority of the nation's taxation powers, but we are responsible for service delivery. I make that point because, in the wake of the Commonwealth Grants Commission decision to strip New South Wales of GST funding, it is now imperative for the Federal Government to be at the table, making sure that New South Wales gets its fair share when it comes to health, education, the NDIS and infrastructure. That is a part of our response to the Commonwealth Grants Commission.

What is not part of our response is the return of wage suppression. I took an interest in the shadow Treasurer's recent events. I wonder whether or not Comrade Tudehope, as he appeared in front of the workers of the world, as he was on the picket lines, ready to march, said in front of them, "Our policy to solve your issues is a wage cap." Here's the thing: The shadow Treasurer is very happy to stand in this place, as is the Opposition Whip, and say, "There is no problem that can't be solved by wage suppression." He will say it in the Parliament, but he will not say it on the picket line. That is the issue. That is the hypocrisy.

What was his offer? "Come back, you must be missing me"—that is the shadow Treasurer's pitch—"because I cut your pay, I reduced you to 0.3 per cent, and I'm here so you can say thank you." I am sure that is what the shadow Treasurer's appearance was. I respect the guile. I respect the hypocrisy. I respect the shamelessness. What I do not respect is the false hope. Those members on this side of the House will continue to work through our issues methodically. What we will not be doing in response to the financial challenges of the States is telling essential workers to take a pay cut.

BIODIVERSITY OFFSETS PROJECT

Ms SUE HIGGINSON (11:27): My question is directed to the Minister for the Environment. On page 29 of the 2019-20 Growth Centres Biodiversity Offset Program annual report that was published in September 2021 there is reference to a project that will inform the next annual report. The public reports are required under the Sydney Growth Centres strategic assessment agreement with the Commonwealth Government. Why was there no 2021 annual report publicly available or any annual report since the 2019-20 report?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:28): I thank the member for her question. I have to admit that I am not familiar with that particular page or dot point. However, I am familiar with the need for reporting. It is clearly reporting that occurred under the previous Government and perhaps the member needs to ask questions of those opposite. But it will be a long time before those opposite answer any questions. I am happy to follow it up. I am not aware of all of the details relating to this matter. I am happy to take the question on notice. My general view about these things is well known: If you are supposed to report, then you should report, and it should be made public.

Ms SUE HIGGINSON (11:29): I ask a supplementary question. I appreciate that there is some specificity. If we do not have the report or if the Minister is not aware of the report, how can we know what the status of the biodiversity offset program in the Sydney growth centres area is?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:29): What I might know is a bit hypothetical, the known knowns and the known unknowns. I will follow up the issues raised by the member. I will find out what is going on, and I will report back.

[*Business interrupted.*]

Visitors

VISITORS

The PRESIDENT: I welcome to the Parliament staff from the Department of Education, who are participating in training conducted by the Parliamentary Education and Engagement team. You are all very welcome here today. I also welcome to the public gallery a significant delegation of young leaders from the Philippines. We are honoured to have them in Parliament. They are led by the Hon. Jennie Rosalie Uy-Mendez, Mayor of the Municipality of Villanuva. The delegation also consists of the Hon. Aldner Damalerio, member of the Provincial Legislative Council from the province of Bohol; the Hon. Agatha Paula A. Cruz, Mayor of the Municipality of Guiguinto; the Hon. Albert "Chuckie" Antonio III, member of Quezon City Council; the Hon. Kyle Salazar, member of the General Trias City Council; and the Hon. Rosalinda Tuvilla II, member of the Talisay City Council. We are honoured with your presence here today. Thank you very much for visiting us.

Questions Without Notice

FIREFIGHTERS INDUSTRIAL AWARD

[*Business resumed.*]

The Hon. DAMIEN TUDEHOPE (11:30): My question is directed to the Parliamentary Secretary for Emergency Services. Noting that the Fire Brigade Employees Union [FBEU] is rallying outside Parliament House right now because, "With no offer on the table from the Minns Government, it is time to send a strong message"—and I note that no Government member was prepared to have the courage to go out and address the union—and the union's statement that last Wednesday in this House "work was being done to spread inaccurate propaganda in a bid to demonise FBEU members" by "the Hon. Anthony D'Adam, a short-lived trade union staffer", will the Parliamentary Secretary apologise to the FBEU and do something—anything—to help our firefighters get an actual offer from the Minns Government?

The Hon. ANTHONY D'ADAM (11:31): Goodness. I thank the honourable member for my second question in this House. It is interesting that the Fire Brigade Employees Union is making the observation that it is quite uncomfortable with the support it is getting from the Hon. Damien Tudehope.

The Hon. Damien Tudehope: They are very happy.

The Hon. ANTHONY D'ADAM: It does make me laugh that the Hon. Damien Tudehope has become such a strong advocate for workers as he has made the transition to the Opposition. On this side of the House, the Government understands its responsibility to the public interest. When members move to the other side, that responsibility does not disappear. We still have a responsibility to uphold the public interest and make sure that the taxpayers in New South Wales are fairly represented. We do that by sitting down and negotiating with the union in good faith.

The PRESIDENT: Order!

The Hon. ANTHONY D'ADAM: The fact of the matter is that negotiations are underway. They need to be given the opportunity to unfold, as negotiations do. I take offence at the suggestion that I was a trade union official for only a short period of time—20 years in the trade union movement. I understand that is what unions need to do to advocate for their members. They are perfectly entitled to do that, and I respect that. That is part of the bargaining process. But the other part of the bargaining process is that those who have to represent the interests of all the people of New South Wales are there to make sure that the taxpayers—

Ms Sue Higginson: Point of order—

The PRESIDENT: Order! The Parliamentary Secretary will resume his seat. A point of order has been taken by Ms Sue Higginson.

Ms Sue Higginson: The point of order is that I could not hear the Parliamentary Secretary. He had a lot of important things to say, and I could not hear him.

The PRESIDENT: I uphold the point of order. There are too many interjections. I know that this issue provokes strong emotions in many, but members will pull back a notch or two so that we can hear the Parliamentary Secretary's answer. The Hon Anthony D'Adam has the call.

The Hon. ANTHONY D'ADAM: As I was saying, we have an obligation to make sure that we get the best possible outcome that is sustainable, affordable and accords justice to our firefighters.

The Hon. Courtney Houssos: Point of order: Mr President, the Parliamentary Secretary is providing an excellent and relevant answer, but members opposite continue to flout your ruling immediately after you gave it. Literally, a wall of noise is coming from the other side of the House. I ask that you call those opposite to order to allow the Parliamentary Secretary to provide this important answer to the House.

The PRESIDENT: I uphold the point of order. Government members and Opposition members—not crossbench members—were contributing to the wall of noise. All members will cease interjecting for the final seconds of the Hon. Anthony D'Adam's answer. Members will be called to order if they continue to interject.

The Hon. ANTHONY D'ADAM: Clearly my contribution has brought the firefighters to their senses. They have come to Parliament. They have realised that the negotiations are still underway, that there is progress to be made, and that there will be a just and fair outcome for all involved, which serves the interests of firefighters and their representatives and the people of New South Wales. I am confident that the Government is making good progress in that regard.

The Hon. DAMIEN TUDEHOPE (11:35): I ask a supplementary question. In relation to his responsibilities, will the Parliamentary Secretary elucidate what he does to earn his $33,000—

The Hon. Penny Sharpe: Point of order: That is clearly not a supplementary question.

The Hon. DAMIEN TUDEHOPE: Hang on, I have not finished the question.

The Hon. Penny Sharpe: It also contains argument.

The PRESIDENT: I will hear the end of the question before I make my ruling.

The Hon. DAMIEN TUDEHOPE: Is the Hon. Anthony D'Adam earning his $33,000 Parliamentary Secretary salary by actually helping emergency service workers get a wage offer from the Government?

The PRESIDENT: I rule the question out of order. It is an entirely new question.

ROAD SAFETY

The Hon. BOB NANVA (11:36): My question without notice is addressed to the Minister for Roads. Will the Minister update the House on the actions that the Government is taking to address road safety?

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) (11:36): I thank the member for his question. As members know, on 22 February we held the first NSW Road Safety Forum with international and national road safety experts, talking about these important issues. I was pleased to welcome the shadow Minister to that forum. I thank her for her participation. The Government acted immediately, following that forum. I am happy to inform the House that we have insisted that all motorists driving on a foreign licence will now have a maximum of six months to convert to a New South Wales licence if they want to remain on the road in this State.

I give one example of just how dangerous this had previously been. In one case, a driver accumulated 37 demerit points since 2021—seven speeding fines and three mobile phone infringements. They have now been banned for five months, and they must apply for a New South Wales licence. Prior to these laws being reformed, it was possible for those drivers to commit offences with no consequence, unlike a driver who was licensed in New South Wales. That was dangerous, causing more than 100 crashes a year. In the five-year period between 2017 and 2021, there were 25 fatal crashes and 517 serious-injury crashes involving a driver or a rider with an overseas licence.

Under the regulation changes that I announced on 29 February, anyone who has been driving on an overseas licence, regardless of when they arrived, will also be required to switch to a New South Wales licence. That will mean there is one set of New South Wales road rules. We can now assert that principle. Existing residents will have 12 months from 1 March to undertake the process. It comes on top of the Government's other road safety changes—using those cameras to enforce seatbelt use, 50 years after it was made mandatory, and the Government's demerit point scheme. The carrot and stick are being used for the first time to encourage people to drive safely on our roads.

Previously there was a loophole. The former Government promised to fix the issue, but it only did half the job. It left a gaping loophole. Any driver who arrived in the State before 1 July 2023 was not required to apply under those rules. That meant they could accumulate demerits and there could be no consequences. There were two sets of road rules in New South Wales depending on what somebody's licence said. We have changed that now. It was not easy to drive that change through. But it now means that we can assure people worried about road safety and the road toll that there is one set of road rules in New South Wales.

WILDLIFE AND ROAD SAFETY

The Hon. EMMA HURST (11:40): My question without notice is directed to the Minister for Roads. Last year I asked the Minister if he would review the NSW Speed Zoning Standard to ensure that risks to animals and wildlife vehicle collision rates could be taken into account when making road speed zoning decisions. The Minister advised he was happy to look into the issue. Will the Minister provide an update on any work undertaken to ensure that speed zoning decisions factor in the risk to animals?

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) (11:40): I thank the member for her question. There has been work on the speed zoning standard. I make it clear that it builds on the work of the former Government's Movement and Place Framework, but we have committed to new work on the speed zoning standard. I recall the member asking that previous question. I am certainly interested in what we can do to ensure that those issues, which I know she has campaigned on, are taken into account. I will check how

explicitly that has been done. I am happy to take that part of the question on notice. It is certainly true, though, that those standards allow local communities and local councils to look at the appropriate speed standards in their area. In my view, that should allow local communities to raise issues in relation to the speed zones in their area. There is a process to do so through Transport for NSW. That is being routinely used by communities, as is appropriate.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. CHRIS RATH (11:41): My question is directed to the Special Minister of State. Has the Minister taken any steps to assure himself that the projects listed on the spreadsheet of the Local Small Commitments Allocation for the electorates of Castle Hill and Kellyville given by the Premier's office to the Premier's Department are in fact election commitments?

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) (11:42): I thank the member for his question. That issue was raised during budget estimates hearings. I was able to inform members of the estimates committee at that point that those projects had not yet come to me for a decision, so I had not reviewed information in relation to them. That is still the case today; I have not yet reviewed information in relation to them. Consistent with my previous practice, it would be inappropriate for me to provide information about them before I have been briefed and before that paperwork comes to me. I commit to the House—in the same way that I have done with the other projects—that I am very comfortable releasing the approval paperwork for those projects to the House at the appropriate moment so that members can see for themselves the basis on which a decision was made.

The Hon. CHRIS RATH (11:43): I ask a supplementary question. Will the Minister please elucidate whether he will undertake to investigate the matter so that, if the projects on the list are found not to be eligible because they were not election commitments, the funds can be reallocated to parks and playgrounds across the relevant local government areas as soon as possible?

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) (11:43): The member is asking a relatively hypothetical question. Members would understand that it is very difficult for me to answer that question before I have reviewed the relevant material in relation to those grants. I have not examined that material at all. It is very difficult to then answer questions about the detail of those projects or the hypothetical circumstances that the member is now asking about.

RECREATIONAL FISHING

The Hon. STEPHEN LAWRENCE (11:44): My question without notice is addressed to the Minister for Agriculture. Will the Minister update the House on the Fish for Life report and what the New South Wales Government is doing to support recreational fishing?

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 his question and his interest in recreational fishing in New South Wales. Recreational fishing is hugely popular in New South Wales. The industry now contributes more than $3.4 billion to the State's economy and provides the equivalent of 14,000 full-time jobs. Each year more than 390,000 New South Wales recreational fishing licences are sold. I am pleased to update the House that I hold one of those licences.

The Hon. Sarah Mitchell: You go out much?

The Hon. TARA MORIARTY: Not as much as I would like, but sometimes. The $14.7 million raised from those licences is reinvested directly into the sector through the Recreational Fishing Trust. I am pleased to inform the House that 347 Recreational Fishing Trust projects are currently underway across New South Wales to support and encourage more people to wet a line. Our Government is also continuing to support projects that improve fish populations and restore habitats. Since the start of the 2022 financial year until the end of this week, we have stocked over 10.3 million freshwater fish in rivers, streams and lakes across New South Wales. We opened a new native fish hatchery at the Department of Primary Industries [DPI] Narrandera Fisheries Centre recently. We will also shortly open a state-of-the-art facility at the DPI Gaden Trout Hatchery, which is undergoing final testing before starting production.

Those key infrastructure upgrades—funded by the New South Wales Government and supported by the Recreational Fishing Trust—will help futureproof our inland fisheries. The Government's offshore artificial reef program is yet another way our Government and the Recreational Fishing Trust are supporting enhanced recreational fishing opportunities for keen anglers. Those reefs provide a cost-effective method of improving

sustainable recreational fishing opportunities and drive economic growth through enhanced fishing tourism while also providing significant environmental benefits. Our program has delivered 11 reefs so far, including two new reefs last year off the Central Coast and at Forster.

Recently I have had discussions with my Recreational Fishing NSW Advisory Council about our new action plan, which will drive the recreational fishing sector forward and deliver quality fishing opportunities for everyone in New South Wales. The plan is being developed by DPI and my Recreational Fishing NSW Advisory Council to support existing programs and to develop new initiatives to make fishing even better. The Government knows how important fishing is to our coastal and inland communities. That includes the commercial fishing sector, which I will be announcing further supports for shortly. I again recommit to working with the recreational fishing community to improve fishing access and continue building a sector that thrives and supports coastal and regional communities.

PARLIAMENT EXPENDITURE

The Hon. MARK LATHAM (11:47): My question is directed to the Treasurer. Why does the Treasurer urge fiscal restraint in the budget yet continue to provide funding increases for the incompetent management and extravagant expenditure on Parliament House? We know of the frosted door farce, the Macquarie Street bollards and the more than $20 million to replace the roof membrane after six years of failed attempts. We now have the $15 million and an extra 11 human resources staff resulting from the Broderick review as well as an Independent Complaints Officer who will not accept and act on complaints if someone has the wrong skin colour or the wrong gender. Does austerity not start at home, with a large permanent spending cut on the operation of this building?

The Hon. Anthony D'Adam: Point of order: The question clearly contains argument and epithets, and should be restructured.

The Hon. Mark Latham: To the point of order: The question is asking the Treasurer directly about his ministerial responsibilities. Why is he funding so much extravagant spending and mismanagement in this building? Clearly the Treasurer wants to answer it because it is within his ministerial responsibilities and what he does of a day.

The PRESIDENT: While the Hon. Anthony D'Adam makes a very fine point indeed, I will allow the question. The Treasurer has the call.

The Hon. DANIEL MOOKHEY (Treasurer) (11:49): I thank the Hon. Mark Latham for his question. The member is right to point out that, at a time of high inflation, the Government is embarking upon sensible policies to ensure that, firstly, every dollar it spends delivers a return for the people of New South Wales and, secondly, every dollar it spends is not adding to inflationary pressure here or elsewhere. We are applying that standard across the entire general government sector and other forms of public entity. As the Presiding Officers know, the Parliament is not exempt from such requirements, nor are any of the other independent or otherwise agencies. They are to be careful and deliberate in terms of how they spend money.

The previous Government established a process that would allow institutions like the Parliament, the Auditor-General, the ICAC, the Ombudsman and a few others to engage with Treasury in a manner that allows it to do its job and respects the unique role that each of those institutions plays in our democracy. That has happened under my treasurership and the Minister for Finance's stewardship of her responsibilities. I will be up-front: We have been pretty rigorous when it comes to what each of those agencies spend—I am sure the Presiding Officers would agree—and in ensuring that the core functions of our democracy are funded. We do so because we respect those institutions. We respect Hansard, we respect the committee staff and we respect the Clerks in both Houses. But I will be clear: Decisions about specific expenditure are not made by the Treasurer because I do not preside over the Parliament. As for the specific issues the member mentions, I note I am in that phase of the budget cycle where all ideas are welcome. All suggestions can be sent to me—

The Hon. Sarah Mitchell: We'll give you some.

The Hon. DANIEL MOOKHEY: I will take the Hon. Sarah Mitchell's suggestions, too. It is an open offer. Equally, I am sure that some of the matters she has raised may feature in some conversations that the Minister for Finance and I will have. If other members have any special requests, they should feel free to get them in ahead of those conversations.

The Hon. MARK LATHAM (11:51): I ask a supplementary question. Will the Treasurer elaborate by providing any justification for the wasteful spending I listed in my original question? Furthermore, how does he deal with the clear evidence in this building that at the end of every financial year the department spends down the total allocation by finding new capital works that nobody has asked for, the latest of which is renovating the

gym area because it is said to be inaccessible? If you get off your bum and access it, there is nothing inaccessible about it. How do we stop the spending down of the full allocation at the end of every financial year?

The Hon. DANIEL MOOKHEY (Treasurer) (11:52): I thank the Hon. Mark Latham for his supplementary question. In respect to how we stop, for want of a better term, a rush to spend, there is a carry-forward process. A policy on the NSW Treasury's website applies to all agencies and allows all agencies to apply to me to carry forward some of their expenditure to the next year. That is a principled way upon which we make the point to agencies that they do not need to feel they need to rush out on 30 June and buy a whole lot of stationery. They are entitled to ask to carry it forward and, of course, we will assess each application on its merits.

In respect to the specific issues the member mentions, I am not responsible for the Parliament's capital program. However, I point out that the Parliament has a legal responsibility to ensure that all its facilities are accessible to disabled persons. That is a legislative requirement we have imposed on all government agencies, not just the Parliament. It is equally the reason why, with strong support from members, we have funded the Transport Access Program now for more than a decade to ensure that railway stations are accessible to persons with a disability.

It is important that persons with a disability can access this Parliament and its facilities, be they members or staff. As to whether or not that expenditure is being wisely undertaken and expeditiously done, there are other forums in which those people who are directly responsible for that expenditure can be tested. Finally, when it comes to all construction projects, anyone who has engaged in any of them—be they on behalf of government or anyone doing renovation—knows full well the construction market right now has its own dynamics that need to be taken into consideration when engaging in capital spending. I am sure the Presiding Officers have that at front of mind.

The Hon. WES FANG (11:54): I ask a second supplementary question. The Treasurer's previous answer related to accessibility and equity in the Parliament. Given his position around equity and accessibility, how can he justify the cutting of media monitoring to Opposition and crossbench members and the failure to provide us with the ability to do our job of holding the Government to account?

The Hon. DANIEL MOOKHEY (Treasurer) (11:55): I thank the Hon. Wes Fang for his question. I again point out that I well and truly take blame for many things, but I do not make decisions in terms of what media monitoring members can or cannot access as part of their membership of the Parliament. My best recollection of the matter is that some work was undertaken in the last Parliament around the Parliament's media monitoring contracts. As I understand it, all members have been given access to the Streem service. I still have access to it and I am capable of doing it. If members have particular views about the quality of that service, that is a matter I am sure they can raise.

The member asks how members can hold us to account. Certainly, I agree that the Opposition is struggling to hold the Government to account—but I do not think it has anything to do with media monitoring. I am being invited to have a think about it, but I have eight years of experience doing it. I dare say I developed some expertise. It is why, for example, members have communications allowances, travel allowances and an electorate allowance. I recall that through our eight years in opposition, I subscribed to many of the great publications of our State.

The Hon. Sarah Mitchell: So do we.

The Hon. DANIEL MOOKHEY: And I am glad that you do. I encourage members opposite to support that vital organ of our democracy, the fourth estate. If they have specific views about media monitoring services, we look forward to engaging about those later today.

STAMP DUTY

The Hon. SCOTT FARLOW (11:57): My question is directed to the Minister for Housing.

The PRESIDENT: Order! Members will come to order.

The Hon. SCOTT FARLOW: Noting the comment by Brendan Coates, Economic Policy Program Director at the Grattan Institute, that "The closest thing you get to a unity ticket in economics is that stamp duty is bad" and his estimate that making the switch from stamp duty to a broad-based property tax would reduce rents and house prices by up to 6 per cent, what steps is the Minister taking to move New South Wales away from stamp duty to reduce the cost of housing for renters and home buyers?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:58): I thank the Hon. Scott Farlow for his question. I read the article by Matt Wade in *The Sydney Morning Herald* this morning in which Mr Coates was quoted, so there has to be some media monitoring accessed by members opposite. It was

a good article by Matt that raised some well-known issues in relation to stamp duty. It is fantastic that the Treasurer and the Minister for Finance have taken on the challenge of trying to reduce the stamp duty burden on first home buyers through their fantastic scheme to exempt a very high percentage of first home buyers from paying stamp duty. It is a fantastic policy, unlike the policy of members opposite when they were in government, which heavily targeted the intervention to people purchasing properties for over $1 million. I know that house prices are out of control in Sydney—members talk about affordability a lot—but let us assume that if you have over $1 million to purchase a property, you are doing okay and government assistance probably does not need to be targeted to you.

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

The Hon. ROSE JACKSON: I am absolutely thrilled that the approach of the finance Minister and the Treasurer is to target stamp duty exemptions at people who are really struggling with that first step onto the property ladder. It is an excellent measure. But it is interesting that this question was asked of me because I am the housing Minister; I do not do tax policy. I am not the Treasurer or the finance Minister. My job is to advocate for social and affordable housing. The Opposition has so little interest in social and affordable housing that it cannot even figure out that that is my job and ask me a question about the work that I am responsible for, which is delivering more social and affordable housing. Instead members opposite ask me my random thoughts and opinions on newspaper articles that are not anywhere near the remit of my ministerial responsibility.

I am always happy to share an opinion on the housing market generally. But I remind Opposition members that is actually not my job. My job is to do whatever I can to deliver the specific support that is required for social and affordable housing. There is absolutely no relationship between stamp duty policy settings and the work that I am doing day to day, other than they both feature the word "housing". Housing is a very broad term but if the Opposition cannot figure out a question that relates to social and affordable housing, then that very much reflects its priorities. My priority is delivering the social and affordable housing that this community desperately needs.

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

WILDLIFE AND ROAD SAFETY

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (12:01): In relation to the question I was asked by the Hon. Emma Hurst, I am advised that the standard does consider road and roadside hazards, which may include animals, in the setting of safe speed limits. As I mentioned to the House, members of the community can apply to initiate a review. Travelling at lower speeds does give drivers more time to identify wildlife on the roads and slow down and react safely. I add that under the NSW Koala Strategy, $10.6 million is being invested over five years to address koala vehicle strike hotspots across the State. My office and I will continue to work with the member on wildlife protection strategies, including new technology.

Supplementary Questions for Written Answers

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. DAMIEN TUDEHOPE (12:02): My supplementary question for written answer is directed to the Parliamentary Secretary for Emergency Services. When can the Fire Brigade Employees Union expect to receive an actual offer from the Government so genuine bargaining can finally commence on the expired firefighter staff awards?

The Hon. Anthony D'Adam: Point of order: It is well-established practice in this House that ministerial responsibilities that are not represented by a member in this House but are represented by a member in the other place have a designated representative in this House. In this case, either the Treasurer or the Deputy Leader of the Government is the representative of the Minister for Emergency Services in this House. That question should be appropriately directed to the relevant Minister and not to the Parliamentary Secretary.

The Hon. Wes Fang: To the point of order—

The PRESIDENT: No, I do not need to hear it. I do not uphold the point of order. The Parliamentary Secretary may answer the question in any way he wishes. He may wish to provide some of that advice in his answer, but it is up to him to answer it.

Announcements

LEGISLATIVE COUNCIL BICENTENARY CONCERT SERIES

The PRESIDENT (12:03): I advise members that today is the first Bicentennial Concert Series of 2024 in the Fountain Court, performed by students from the Conservatorium of Music, starting at 12.45 p.m. Members are all most welcome.

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.

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. DAMIEN TUDEHOPE (12:04): I take note of the answers given today by the Parliamentary Secretary for Emergency Services. Today we had a second demonstration outside the Parliament by the firies. One would think that after the first demonstration a fortnight ago, some action would have taken place to ensure that negotiations were taking place with this union so that its members were able to deliver the services that the people of this State deserve. The problem is the Government is stuck in inertia. It can make no decisions. This is absolutely emblematic of the way the Government now operates: talk but no action.

In budget estimates hearings the Minister for Industrial Relations gave a detailed explanation of her responsibilities in ensuring that negotiations took place. She gloated that under this Government a new process was in place to reach agreement and that all parties would be heard. But all we have is intransigence by the Government to actually deal with the union. Today we again heard outside this place a demonstration because not one iota of an offer has been put in front of the union. The Parliamentary Secretary says that negotiations are taking place. I invite him to go and talk to them. Not one person from the Government was prepared to go and talk to the union.

Where was the Minister for Industrial Relations? Where was the Treasurer? Where was the Minister for Emergency Services? Where was his Parliamentary Secretary, who earns the great sum of $33,000 more than any other member on the Government backbench? Why was he not doing his job of talking to the union about what it was demanding and how the Government he is part of can assist it? The Hon. Anthony D'Adam is looking at the clock; he wants me to stop. I know this is embarrassing for him but the reality is that he is described by the union as the "short-lived staffer". This is the bloke who was admonished by the union. One would have thought he would have taken steps to make sure that after this criticism, which was levelled at him as a result of his notice of motion last week, the issue was fixed. But, no, nothing was done. That is emblematic of the way this Government operates.

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. ANTHONY D'ADAM (12:07): The Hon. Damien Tudehope is wilfully misleading the House on how negotiations are undertaken in the New South Wales public sector.

The Hon. Damien Tudehope: Point of order: It is a serious suggestion to say that I have wilfully misled the House. If the member says that I am misleading the House, that is one thing. To say that I do so wilfully is another thing, and I ask that the member withdraw that suggestion.

The Hon. ANTHONY D'ADAM: I withdraw the suggestion that the member has misled the House. That was not what I was suggesting. He is engaging in a practice of misconstruing the bargaining process. When he was sitting on the Government side of the Chamber he was well aware of how public sector negotiations occur. The fact of the matter is that the union has provided a log of claims. The agency is working through the log of claims. Every log of claims has costs associated with it. The Government needs to assess the costs within the log of claims before it can quantify what kind of offer it makes. That is just the normal part of the bargaining process, which the shadow Minister knows. He knows that is the case. He is trying to claim that the Government is not taking the negotiations seriously. He is incorrect in that suggestion. The other side—

The Hon. Damien Tudehope: Point of order: The Parliamentary Secretary made allegations about things which I am alleged to know or not know. I seek leave to table the report by the Fire Brigade Employees Union entitled *SitRep 17/2024*.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! The Clerk will stop the clock.

The Hon. Sam Farraway: You cannot stop the clock during the take-note debate.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I can. The Hon. Damien Tudehope has the call.

The Hon. Damien Tudehope: The Parliamentary Secretary is asserting that negotiations are taking place. I seek leave to table the report by the union stating they are not taking place.

Leave not granted.

The Hon. ANTHONY D'ADAM: The fact of the matter is that the negotiation process occurs within the context of the Government listening to the proposals of the union, and then considering and costing them. That is the normal procedure and the Government is adopting that sensible approach. The Government needs to carry out its due diligence on the claims that are being made by the union, which is the normal process. To construe it in any other way is to engage in a practice that is not credible.

The Hon. Natalie Ward: Point of order: Mr Assistant President, you made a comment during the previous exchange that you are able to stop the clock. I ask that you seek the President's ruling on that and report back to the House.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Yes, I shall.

SHARK NETS

Ms CATE FAEHRMANN (12:10): I take note of the answer given by the Hon. Tara Moriarty in relation to the dolphin that was trapped and died in shark nets off Thirroul Beach last week, as well as the discovery by the community of several endangered turtles that were trapped in shark nets off Manly and Dee Why beaches. It is extraordinary that this Government, despite extensive community support and consultation—including with the councils that have been impacted directly by, and have responsibility for, shark nets off their beaches—installed these killing machines, which are completely useless at keeping people safe when they are in the water. In the past decade the vast majority—around 90 per cent—of the animals that were caught in these nets are non-target species. In fact, last summer the shark nets between Palm Beach and Cronulla did not catch a single target shark. There is a mounting toll of entangled wildlife that are drowning because of these shark nets, including threatened marine wildlife, and every death matters to the ongoing survival of their species.

Since 2013, 59 critically endangered grey nurse sharks have been caught in shark nets. Again, every death of an endangered species matters. I do not think we can get a more endangered species in the waters of New South Wales than grey nurse sharks. It is an absolute disgrace that shark nets are in place very close to where grey nurse sharks congregate, feed and breed—for example, Magic Point at Maroubra and Bondi—and the Government has not taken action. Many other working alternatives are in place—for example, SMART drumlines, drones and pingers, which ping to get rid of sharks when they come. These are all making a difference. What is not working are these outrageous death traps. Thousands of threatened species are being caught and killed for nothing under the guise that shark nets make people safe.

MOREE YOUTH CRIME

PARLIAMENT EXPENDITURE

The Hon. SARAH MITCHELL (12:14): I take note of two of the answers given today in question time. The first relates to my question to the Leader of the Government about the omission of education from the pilot program to address regional crime in Moree. Members would be aware, as we are on this side of the House, that crime in regional communities is reaching crisis point. Many communities have been impacted by a particular increase in young people getting involved in violent and criminal behaviour. While the Opposition acknowledges that the Government has started with a pilot in Moree, it does not go far enough and does not reach enough communities. One thing that concerns me greatly, as the shadow Minister for Education and Early Learning, is that there are no specific education initiatives in the pilot in Moree.

Anyone who has worked in either education or the criminal justice system would be well aware of the link between students not attending school—whether that is for absenteeism or because they have been suspended or expelled—and engaging in criminal activity and getting caught up in juvenile justice programs. That has certainly been raised with me many times by local police over the years. Quite often people will be picked up initially on more minor infringements when they are suspended from school, which is why there are specific officers who work closely with families of disengaged children to get them back to school. So it is concerning that education is not part of this initiative. The Minister said that it would be included at some point along the process, but clarity is important, particularly for residents not just of Moree but also more broadly across regional New South Wales, on how education and specific initiatives will be used to help re-engage some of these offenders who potentially are not attending school in the way they should be.

The second question I will take note of related to media monitoring, asked by my colleague the Hon. Wes Fang. I acknowledge that a motion about this was moved earlier today and passed. Members opposite seem to have a bipolar response to this issue, with some of them quietly saying to the Opposition, "Look, we understand it's an issue." There was a lot of bravado and a fair bit of arrogance from the Treasurer today about the "poor Opposition" not having media monitoring, but it actually is a problem.

In relation to the Streem service provided by Parliamentary Library staff, I acknowledge that they are doing their best, and I thank them for that, but it is not the same level of coverage or content as with Meltwater or Isentia, which I think is the one the Government is currently using. It is very difficult, particularly for regional members. I will put my hand up as a working mother. I have subscriptions and apps for everything. But not getting succinct summaries to know early in the morning what is being reported across the State so I can respond as an effective Opposition member and hold the Government to account is very challenging. Those opposite had access to these summaries when they were in opposition. All the Opposition is asking for is equity. We would like the same media monitoring that the Government is getting. That is not unreasonable and someone needs to fix this so that we can get access to what we need.

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. CAMERON MURPHY (12:17): I take note of the various answers by Ministers and Parliamentary Secretaries in relation to honourable Comrade Tudehope and his road to Damascus moment. He is now in full vigour and support of the Fire Brigade Employees Union's important campaign for better wages and conditions. Nobody believes that the Liberal Party and the National Party support workers' wages and conditions. They are the parties of wage suppression. All they did during the entire time they were in government was suppress unions' claims for better rights and conditions for their workers.

Only a few months ago in this Chamber the shadow Treasurer decried the lifting of wage caps, saying that it was economically irresponsible and that New South Wales would never be able to return to a surplus. Yet here he is now saying, "No, I've completely changed and I'm fully supportive of this particular campaign," as though he is the workers' friend. Nobody believes it. He is not and he ought to stop it. I do welcome, though, his new-found interest in this issue. If it were believable it would be a wonderful thing, but it is not. It is opportunistic and I think it is just silly.

We ought to remember what it was like the last time members opposite were in government, in 2022. Look at former Minister Elliot's approach. Instead of engaging in good-faith bargaining with train drivers, what did he do? He locked them out. It resulted in a shutdown of the entire train network that locked out not just the workers but also the commuters from accessing the network. That is the approach of members opposite to wage negotiations. They never engaged in good-faith bargaining. They never treated workers fairly. They never listened to their logs of claims. They never addressed them appropriately. They just do not believe in supporting good wages and conditions for workers. The Liberal Party and The Nationals are simply the parties of wage suppression. I do not think anybody in this Chamber, let alone outside, believes that Comrade Tudehope is sincere when it comes to workers' interests. They have a track record of doing everything against the interests of workers, and that is why nobody should believe that this road to Damascus moment of his is sincere.

REGIONAL TRAINS

The Hon. SAM FARRAWAY (12:20): I take note of the answers given by the Minister for Roads to my question regarding the projected date for the first of the new regional trains, which we know is currently sitting at the Dubbo maintenance facility, and when it will be ready for testing on the network. I accept the Minister did not have the answer in front of him for a large part of the question, and he is going to take that on notice. But I hope that Minister Graham, who I have a lot of time and respect for, is successful in getting an answer from the Minister for Regional Transport and Roads in the other place, because that Minister has absolutely no idea. When questioned in estimates about where the train was, she did not know. She did not know whether the train actually was in the country, whether it was at the maintenance facility, and/or whether it was the only train.

Some keen trainspotters in the Central West took a snap of the train at the Dubbo facility and sent that through. I thank them for that. It meant we were able to pose that question to the Minister for Regional Transport and Roads. This is a serious question because the XPT, or express passenger train, is a household name in regional New South Wales. It has reliably delivered for the people of regional New South Wales using train services for 40-plus years. It is time for the new XPT to be delivered. We know that the first of the long-haul regional trains, which is essentially the replacement for the XPT, has arrived at the Dubbo maintenance facility. It will have its local content fitted to that train.

We want to know the projected date for it to be accredited and put into testing on the network. People in regional New South Wales want to know that because it is an important advancement in regional transport across

the State. Turning to the second part of my question and of the answer given by the Hon. John Graham, today in formal business the House passed a motion supporting the Bathurst and Orange rail action groups and the call that I have made on the New South Wales Government to continue to engage with those rail action groups and their communities on their call to change the Bathurst Bullet from an intercity service to a short regional train in the rollout of this new regional fleet.

This would increase the accessibility of those trains and improve connectivity between communities. It would offer a far superior train service for the 3½-hour journey from Bathurst to Central. In fact, if some of the new train services could be extended to the people of Orange at the same time, the 4- to 4½-hour train trip could be undertaken on a far more comfortable, accessible and connected train into the future. I hope that Minister Graham will get me the answer on notice so that we can work with the community on this call—unlike the approach from Minister Aitchison, who has done nothing and knows nothing and continues to stall this process. [*Time expired.*]

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. MARK BUTTIGIEG (12:23): Once again I feel compelled to contribute to the take-note debate. The Leader of the Opposition has clocked off from the debate, despite wanting to contribute, but I will not hold that against him. To use a quote from former Prime Minister Keating, this bloke's got more front than Mark Foy's. His record in government, which I was privy and witness to for the past four years, was 12 years of wage suppression, keeping workers downtrodden with no wage rises for 12 years. He then comes in here and accuses the Government of not negotiating with unions, when, in very short shrift—12 months compared to 12 years—we have resolved several disputes.

Has anyone forgotten the recent teachers dispute that was resolved efficiently and in a short time by education Minister Prue Car? Has anyone forgotten the dispute with the Health Services Union, representing hospital workers and paramedics, that was solved in relatively short time by the Minister for Health and the Minister for Industrial Relations? The same thing will happen with the Fire Brigade Employees Union, because Labor understands how to sit down and talk with our key stakeholders, which are unions. We get it. If the Hon. Damien Tudehope wants some delegates training, I am more than happy to provide it in my office at any time. As I said the other day, it is a welcome addition to the cause.

I ask members to go back and look at *Hansard*. Have a look at some of the pronouncements that this bloke has made on unions and the union bashing that happened during his time in Parliament. If he thinks he is fooling anyone, including the New South Wales public, into thinking he is now the best friend of the union, I say to go and look at the record. Go and look at *Hansard*. Look at the role that he played in the train dispute when the rail network was shut down, and the malicious and manipulative way that he treated those workers. At least the other members in the Opposition are not so hypocritical. The Hon. Chris Rath would never do this stuff. He does not like unions, and he sticks to his position. But this bloke is such an opportunist, such a chameleon, such a duplicitous person that he is prepared to come in here and pretend that he is the best friend of the union. I ask the House to remember this day. If he is so supportive of unions, then I will expect him to consistently support us in every single campaign when we negotiate with unions in the future to increase wages and conditions and better the lives of working people. I want to see him support us in that cause for the next 12 years.

STAMP DUTY

The Hon. SCOTT FARLOW (12:26): I take note of the answer given today by the Minister for Housing to my question on stamp duty. Brendan Coates of the Grattan Institute has said that the closest thing you get to a unity ticket in economics is that stamp duty is bad. The former Government tried to move New South Wales away from stamp duty, which every economist agrees is a bad tax. It is a bad tax because it hurts home buyers, and it stops people from being able to move into the most appropriate accommodation for them. Some of that research indicated that people might be spending money on renovating homes rather than buying new ones and opening up that stock in the market. It also found that if we were to abolish stamp duty we would see a reduction of 6 per cent in both rents and home prices, which would make housing more affordable.

It was extraordinary that the Minister said today that if you have $1 million to buy a home, then you are doing okay. The Minister needs to wake up to the median house price in Sydney because it is nudging $1.6 million now. It is $1.595 million to buy a home in Sydney. That is the median price. And I am not just talking about the eastern suburbs or the North Shore. The median house price in Revesby is $1.325 million. The median house price in Stanhope Gardens is $1.469 million. Outside of Sydney, at The Entrance it is $1.35 million and at Callala Beach on the South Coast it is $1.145 million. It is practically impossible to buy a home in Sydney for less than $1 million these days. To assert that if you have $1 million to buy a home you are doing okay is ignoring the reality of the home market.

The Minister said that her job as the Minister for Housing is just to look after social and affordable housing. That would be fine if the Minister confined herself to that when she was speaking about housing. But the Minister obviously sees her brief as being much bigger than just looking after and talking about social and affordable housing. If that is her brief, we can see that the affordability of rental housing has nosedived under this Minister's and this Government's watch. When we left Government, 42 per cent of rental homes were deemed to be affordable. Last week that commentary was in the Telegraph—the newspaper subscriptions that we are all talking about at the moment. Under this Government's watch, 28 per cent of homes are deemed to be affordable. There is a housing crisis in New South Wales and, under this Labor Government, it is getting worse.

FIREFIGHTERS INDUSTRIAL AWARD

The Hon. BOB NANVA (12:30): I take note of answers given by the Treasurer about bargaining with the Fire Brigade Employees Union [FBEU]. I note that the Opposition, particularly the Leader of the Opposition, became energised by bargaining taking place between a government and its workforce and by the fact that the FBEU's leadership and its members are exercising a legitimate right to loudly protest and prosecute their cause and pursue their claims. There is nothing particularly novel about any of that; it is the very nature of bargaining—governments developing an offer that rewards our essential service workers responsibly, and unions and their members vigorously prosecuting their claims.

I have known Mr Drury for years. He has no appetite for politics. He is not interested in politics; he is interested in getting outcomes for his members. That means that he will protest very loudly and as often as he needs to get the right outcome for the workforce. That ought to be respected. It should not be particularly concerning that that is happening, or underpin some sort of energy or controversy. Just as I respect the Leader of the Opposition latching onto this negotiation as some sort of vehicle of political convenience rather than conviction, I respect the right of Mr Drury to prosecute his claims hard. I respect both of those things because that is the nature of the world we live in—the Hon. Damien Tudehope latching onto a political argument of convenience and Mr Drury fighting hard for his membership in a substantive way.

If we want the absolute truth about the Opposition's and the Hon. Damien Tudehope's position on workplace bargaining, we should not forget the past too soon. On many occasions I stood proudly on shop floors and on picket lines with delegates and members fighting the wages cap because it fundamentally penalised essential service workers for the vocation that they chose to work in. For years I would see the same frontline workers disrespected and their jobs systematically debased, diminished and devalued by people, including the Hon. Damien Tudehope. I will not soon forget the words of the Hon. Damien Tudehope against my former union when it exercised a legitimate workplace right. He said that he would terminate its enterprise agreement because it had the temerity to protest and reinforce its rights. That is the truth of the Hon. Damien Tudehope's position.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SUSAN CARTER (12:33): I take note of an answer given by the Hon. John Graham today about the Local Small Commitments Allocation in the electorates of Kellyville and Castle Hill. I recognise that he was unable to fully answer the question because, as he informed the House, he had not had time to look at the relevant paperwork. I take note of the fact that these were pre-election commitments and we are coming up to the one-year anniversary of that election. I recognise that he is very busy. It is hard to find $12 million down the back of the couch for the Art Gallery.

The Hon. John Graham has a lot on his plate, but one would have thought that within 12 months one could have looked at the relevant paperwork to ensure probity and to ensure that these grants were properly offered and are being properly made. In fact, one would hope that, before election commitments were made and before grants were offered, all those probity measures were in place and it would be a relatively simple measure to enforce that once one came into government. We hope very soon to get an answer to the mystery of the "are they/aren't they" election commitments in the Local Small Commitments— [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (12:34): In the words of the Treasurer from last week, which was the perfect summation of the take-note debate, it was good that question time happened and it is good that we took note of the answers. We covered a wide range of issues today, including the Government's successful work on managing the environment, protecting frogs, road safety and fishing. I am proud of the work that we are doing to support recreational fishing across New South Wales, including restocking trout and producing artificial reefs out of the Recreational Fishing Trust funds that we collect out of licences. That is fantastic work happening across this space.

We also heard a lot about the absolute shamelessness of the Leader of the Opposition in relation to his pretty appalling pretence that he has suddenly become a friend of the workers. I take note of the words of the Hon. Bob Nanva that we all remember what the previous Minister and Leader of the Opposition said about the train dispute a couple of years ago. The firies, who are well within their rights to engage with the Government in whatever way they choose to make their point, should be mindful of that. He showed his true colours. Pretending to be a comrade in arms with workers today is pretty shameless. It is a normal occurrence that workers negotiate with the Government and I look forward to seeing how that work continues.

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

Motion agreed to.

Written Answers to Supplementary Questions

ENERGY PRICES

In reply to **the Hon. MARK LATHAM** (19 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 New South Wales Government is considering the affordability impacts of the potential closure of Eraring Power Station as part of engaging with Origin Energy.

The New South Wales Government continues to engage with Origin to clarify its plans for Eraring Power Station.

LOCAL LAND SERVICES

In reply to **the Hon. SARAH MITCHELL** (19 March 2024).

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

The Minister is considering candidates for the role of Interim Chair of the LLS Board. The Interim Chair will be in place prior to the next board meeting on 9 May 2024.

There are no LLS Board meetings scheduled before 9 May 2024.

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

Private Members' Statements

HEMP INDUSTRY

The Hon. JEREMY BUCKINGHAM (14:00): I argue for the re-evaluation of conditions of approval for the rehabilitation of coalmines as we move towards net zero. The conditions were well-meaning and best practice when agreed as part of a mine approval, but in the decades since there may be smarter and more environmentally sound opportunities that we need to consider. While conditions may stipulate that existing electricity infrastructure—such as substations and transmission poles and wires—should be removed, it may have potential for the next carbon sequestering projects.

It is already known that hemp and bamboo are arguably the two most efficient crops to sequester carbon from the atmosphere. Research by Cambridge University suggests that hemp sequesters carbon at twice the rate of timber. The two most effective ways of keeping carbon out of the atmosphere are to use hemp for building and to convert it to biochar—a type of hemp charcoal—that is then returned to the soil. Biochar has been shown to have a range of benefits for soil, including the improvement of soil structure and water-holding capacity, and the ability to increase nutrient availability and nitrogen retention, thus boosting crop yield.

The emerging hemp industry is in an ideal position to partner with the mining sector to rehabilitate mines now approaching the end of their life, such as Mount Arthur in the Hunter Valley. The BHP-operated mine is due to close in 2030 with as many as 2,000 jobs set to disappear. Using government seed funding, there is an opportunity for a trial where hemp is grown to rehabilitate land and the plant is manufactured into biodiesel, biochar and building products such as hempcrete. The opportunities offered are many. The hemp crop is a powerful improver of soil. The products either replace fossil fuels or sequester carbon from the atmosphere, and the project will create jobs in mining areas where sustainable employment is a major issue.

The existing electricity infrastructure at mines, such as Mount Arthur, make them suitable places for manufacturing, including a decorticating plant to make hurd for building products and other products, such as housing insulation, textiles, mulch and animal bedding. The jobs that are created by schemes like those include

horticultural and farming jobs, as well as a range of jobs associated with manufacturing and transport. The idea has the strong support of the NSW Minerals Council, with whom I met recently. While I am advocating for a trial at Mount Arthur, the eventual benefits may include a multimillion-dollar environmentally sustainable industry as we start to see the many construction benefits of building with hemp-based products.

I pay tribute to hemp farmer and advocate Bob Doyle, who is a key member of the Government's Hemp Industry Taskforce. I urge the taskforce to consider the opportunities presented by partnering with the mining sector and local councils in this regard. At this point I also pay tribute to Mr Kevin Wortes, an energetic pioneer of the hemp and medicinal cannabis industry, who passed away last week. Kevin was a powerhouse of ideas that he put into practice, and he will be missed by all who knew him in the hemp industry and wider society.

WOMEN'S SAFETY COMMISSIONER

The Hon. SUSAN CARTER (14:03): Last week we saw the launch of *Working together to address domestic, family and sexual violence: NSW Women's Safety Commissioner Strategic Plan 2024-2027*, the inaugural strategic plan of the Women's Safety Commissioner. The plan provides a blueprint of the work to be done by the commissioner and her office. The plan recognises that eliminating domestic, family and sexual violence is a complex challenge that will require both systemic reform and cultural change.

I congratulate the Women's Safety Commissioner on the release of the plan. But I flag one concern: the absence of recognition, in a plan focused on addressing domestic and sexual violence, of pornography as a key driver of that violence. We want government to be more than the ambulance driver at the bottom of the violence cliff. We want to address the issue at its cause, and one of its causes is clearly violent pornography. Research released today by the Queensland University of Technology, which provides us with the first nationally representative data, shows:

> … 90 per cent of pornography depicts violence and disrespect towards women so it is no surprise that a number of studies have found that young men and boys who frequently use pornography are much more likely to have harmful attitudes towards women …

The research has real-world consequences. According to lead researcher Maree Crabbe:

> … young men are seeing pornography three years before their first sexual experience and young women are seeing it two years before theirs.

If our young men and our young women are having their views about relationships formed by accessing violent pornography, that has important social implications for the whole of society. It will colour how they are able to form relationships and their very understanding of what a respectful consensual relationship is. If we do not recognise that, we will witness even more social problems in the years ahead. The *National Plan to End Violence against Women and Children 2022-2032*, to which New South Wales is a signatory, together with the *NSW Sexual Violence Plan 2022-2027* and the *NSW Domestic and Family Violence Plan 2022-2027* recognise pornography as a driver of violence against women. They all recognise that it is something that we have to consider if we are really going to confront the issue of violence against women. But we do not see it as an action item in the new plan. It is too important an issue to simply drop off our public agenda.

NEIGHBOURHOOD AND COMMUNITY CENTRES

The Hon. ANTHONY D'ADAM (14:06): On Thursday last week, the Parliamentary Friends of Neighbourhood Centres—chaired by me, with Jenny Leong, MP, and James Griffin, MP—invited the Local Community Services Association [LCSA] to Parliament to brief parliamentarians on its pre-budget submission. The LCSA is the peak body and membership organisation for neighbourhood and community centres in New South Wales. Its purpose is to represent the interests of diverse, place-based, locally governed member organisations, with a particular emphasis on community development. With a network of more than 175 neighbourhood and community centres, it is the largest community-led infrastructure network in New South Wales.

Neighbourhood and community centres have been on the front line of the COVID-19 pandemic, as well as various natural disasters, and now they are on the front line of the cost-of-living crisis. Many State and national systems, from housing and social welfare to disaster responses, are failing vulnerable and marginalised communities. As a result, neighbourhood and community centres often have no other choice than to work in the crisis space. In doing so, they have less capacity to do the localised, proactive, community-strengthening social infrastructure work that they are best placed to do.

For any government, increased expenditure is a cause for concern. However, social infrastructure spending has been underfunded for more than a decade. In that time, operational costs, service delivery costs and contractual demands have increased. Currently, neighbourhood centres in New South Wales rely on a patchwork of short-term program funding. In short, neighbourhood and community centres are pushed to do more with less. I believe that it is time to start funding social infrastructure by investing in the New South Wales network of neighbourhood

centres. Social infrastructure is broad—it is universal—and it exists outside of times of crisis and need. Funding social infrastructure enables neighbourhood and community centres to do the community-strengthening work that enables communities to thrive, alongside their crisis prevention and response work.

ALBURY WODONGA HEALTH

Dr AMANDA COHN (14:08): Albury-Wodonga is one cross-border community. Thousands of people live in one State and work, study or play sport across the border. Our cross-border health service, Albury Wodonga Health, is a unique model that serves a catchment with a population the size of Wollongong. It is a historical legacy that we have two small hospitals, one in Albury and one in Wodonga. Delivering acute services across two campuses is extremely dangerous. If there is a complication in the maternity ward or an operating theatre at Wodonga Hospital, patients have to be transferred by ambulance to Albury for intensive care. For both hospitals we have one paediatrician on call, driving back and forth, sometimes in the middle of the night. We need a single-site hospital.

That was finally announced in 2022, when then Premiers Dan Andrews and Dominic Perrottet visited Albury together. Instead, $558 million is now being spent on an upgrade of one hospital in a way that means we can never have the single-site hospital we need. It is delivering the same number of intensive care beds that we have now. Instead of the just-built cath lab that includes a shell for the second future cath lab when it is needed, we will just have one. It involves critical risks relating to sewerage, communications, integration and required upgrades to plant, which have all been downplayed. There has been no accounting for the need for transport infrastructure upgrades or the need to decant patients from a hospital already over capacity during construction.

My two orders for papers in this House have revealed an extraordinary picture of dysfunction and obfuscation. Albury Wodonga Health starts every day with an operating deficit between 20 and 70 beds, but NSW Health bureaucrats keep revising down the projections of our community need in order to cover up that deficit. The 2021 master plan, which was the result of extensive consultation, recommended a greenfield approach for a single-site hospital. That master plan has been bizarrely dismissed in different ways by representatives of the Victorian and New South Wales governments, despite their involvement in its production. Instead, they spent over $1 million on a new master plan by another consultant.

When I pointed out that the new master plan involves the demolition of the $36 million emergency department that has only just opened, the Minister for Health distanced himself from the new master plan, saying it is "not Government policy". So what is? What will actually be built at Albury hospital? The planned redevelopment is not following the 2021 or the 2023 master plans. It is time to go back to the drawing board for a greenfield build that would deliver the single-site hospital that our growing regional community deserves faster and, in the long term, cheaper.

Regional communities in Tweed and in Shellharbour have received investments of over $700 million each for greenfield hospitals that are being delivered on time and to budget. The New South Wales contribution to Albury is $225 million for a catchment the size of Wollongong. The Minister does not need to keep the dud commitment of the previous Government. I hope that he has the courage and humility to recognise that this plan is not working while there is still time to intervene.

ROADS FUNDING

The Hon. NATALIE WARD (14:11): Today I speak about one of the oldest tricks in any Labor government's book: promising infrastructure but never delivering it. When Labor's first budget came out last year, which was at best underwhelming, a new fund caught my eye: the Urban Roads Fund. It was a Government creation to, apparently, deliver its election commitments and other projects. Yet what was surprising was that the Government claimed it could deliver 23 roads projects for $770 million. As a former roads Minister, this caught my eye because, frankly, either the Government is turning 23 roundabouts into traffic lights or its claims were fanciful. I raised this on a few occasions in this place and in the media. I was told, "No, nothing to see here. It is all good. All the projects are fully funded and will be delivered."

Thanks to some honest bureaucrats at budget estimates hearings a few weeks ago, I have discovered that Labor's promised infrastructure funding is just not there. Where was the promised roads funding? Of course, it was in marginal electorates in Western Sydney. They say to follow the money, and I did. What did I find? Broken promises and mistruths by Labor to win an election. Now in government—*Animal Farm* author George Orwell would be proud—the money is stretched out past the budget. Of the 23 roads projects, most of which are minor works, the majority do not have the fully allocated funding for delivery.

Promises made by the Government before the election are now on the backburner. Let us go through them, shall we? The new member for Leppington in the other place said Labor would commit $50 million to upgrade Fifteenth Avenue. His flyers said, "Labor will upgrade Fifteenth Avenue." The local community was very excited.

But it turns out that the money Labor put in the budget is only for planning, and the plan will not be done for four years. He did not say that at the election, did he? Labor will do some planning for Fifteenth Avenue. Labor promised $180 million to upgrade Heathcote Road, and the Minister got his photo opportunity. To be honest, that will deliver only a small widening of the road, in some part. But leaving that to one side, guess how much the Treasurer and the Minister put in the budget for this $180 million upgrade? They put in $65 million. How much did they promise? It was $180 million. When will the road be upgraded? Not even the department could answer. That is another broken promise.

What about Richmond Road? Labor matched the former Government's commitment of $100 million to widen a key section of Richmond Road. I was told a lot about that when I was the Minister so I expected to see $100 million in the budget. It turns out that the Government put only $8 million in the budget for that project. Those are just some of the examples of Labor's broken promises. The fact is that drivers cannot drive on plans; they can only drive on upgraded roads. This Government promised Western Sydney the world and has delivered nothing. Drivers will be waiting in more congestion because of Labor's mistruths.

RENEWABLE ENERGY

The Hon. EMILY SUVAAL (14:14): The Labor Government is committed to transforming the State's energy system. I am very proud that the first Labor budget in New South Wales in 12 years included such significant support for renewable energy. I take a moment to talk about why this is so important. New South Wales has built a strong economy on the basis of reliable energy. We have also benefited from strong coal exports. However, climate change means those things cannot continue indefinitely. Global markets recognise this, and we are seeing a more concerted move to decarbonise economies around the world. New South Wales needs a new base for economic prosperity for the twenty-first century. Low-cost, abundant renewable energy can be that economic base and support a more diversified economy for New South Wales.

New South Wales has an ambitious 20-year plan to deliver the renewable energy we need to replace our ageing coal-fired power stations and provide the bedrock for our future economy. We have the technology, we know what we need to build, we know how much we need and we know where we need it. Even better, we are already doing it. As part of our first budget, the Government committed $1.8 billion to support the delivery of that plan. This included $1 billion for our Energy Security Corporation, which will partner with the private sector to invest in critical projects for a clean energy future for New South Wales. It will be able to invest in things like community batteries, pumped hydro and other projects critical for the State's energy security.

The 2023-24 budget also included an increase of around $800 million to the Transmission Acceleration Facility, taking the size of the facility to $2 billion. This funding will support the Government to carry out early works on the critical transmission projects needed to connect new renewables and deliver a reliable supply of clean, affordable energy to New South Wales homes and businesses. This funding will support our plan for five renewable energy zones across New South Wales. Powered by wind and solar, with storage linked to transmission, those zones will act as modern-day power stations, generating low-cost power for homes and businesses that need it.

I am pleased to say that we are making progress with the rollout of renewables in New South Wales. We now have enough projects signed up to get us halfway to our 2030 renewable energy target. The recent report from the Clean Energy Council shows the share of electricity from renewables in New South Wales increased to 35 per cent in 2023, up from 30 per cent just a year earlier. Cheap power will also underpin the revitalisation of our manufacturing sector, creating local, secure jobs for communities throughout New South Wales. I note that the 2023-24 budget also included $480 million to support net zero manufacturing. Delivering on our renewable energy plan has its challenges, particularly coming off the back of years of inaction, but we are committed to delivering on our plan. It is achievable and we are making progress. All New South Wales households will benefit from cheaper power.

NATIVE FOREST LOGGING

Ms CATE FAEHRMANN (14:17): Tasmania's forests are incredible. Many of us have visited Tassie, often with the sole purpose of experiencing those forests. They are incredibly biodiverse and are also some of the most carbon-dense forests on the planet. But on Sunday 3,000 people marched through the streets of Hobart, calling for an end to the destruction of those forests. Just like our forests in New South Wales, Tassie's ancient forests are being logged like there is no tomorrow. Images are flooding social media of massive, ancient trees being logged—some so big that only one trunk can fit on the back of a logging truck. The majority of these ancient, massive trees are being woodchipped in the face of literal climate collapse. Emissions from native forest logging in Tasmania have been estimated at 4.65 million tonnes of CO2 equivalent per year, making it the highest emitting sector of the Tasmanian economy. They are being woodchipped in the face of an extinction crisis.

The logging industry—hand in glove with the Tasmanian Government—is decimating the ancient Styx Valley, the valley of the giants, but not without enormous community resistance. In recent weeks Bob Brown and nine other forest defenders have been arrested in the Styx Valley. They are there to protect the habitat of the swift parrot, many other species and the forests themselves. In 2015 the International Union for Conservation of Nature listed the swift parrot as critically endangered and recommended that all public lands that support swift parrots be placed under secure and permanent conservation management. But no action has been taken. The Federal environment Minister, Tanya Plibersek, has committed to no new extinctions, but she has committed nothing when it comes to protecting habitat. There is an election this weekend in Tasmania. Not only are the Liberals bringing forward a policy of extending native forest logging contracts to 2040; the Labor Party is matching it—completely ignoring the fact that most Labor voters want native forests protected. Bob Brown has said:

> This is 2024. The world is in the twin crises of global heating and the mass extinction of birds, animals and plants. The best way—

the only way—

> to solve both is to protect native forests.

This weekend we are going to match Hobart. On Sunday 24 March there will be rallies at 11.00 a.m. at Sydney Town Hall and in Bellingen, Bega, Lismore and Newcastle. I urge people to visit marchforforests.org and join us in the fight this Sunday to save our forests and our planet.

NATIVE FOREST LOGGING

The Hon. WES FANG (14:21): I also speak about forestry. It is interesting that I am following Ms Cate Faehrmann, who gave one perspective on forestry. But, as with most things, there are two sides to the debate. Today I happened to meet with a number of people who represent the forestry industry. They are concerned about what the Labor Party's changes to the Great Koala National Park will mean for the industry. There is no doubt that forestry is important for this State and our country for a number of reasons. Not only does it bring jobs and economic prosperity to the small regional communities where forestry is so important; it also gives us the ability to have a renewable source of fibre that can be used for many things, including, predominantly, the frames with which we build buildings and the houses we live in. It also includes furniture—the very lectern that I am holding now and the very desk at which I am standing—and the floorboards that people may have in their houses. All of those are produced through forestry.

Ultimately, if we want to use a product that is renewable, that stores carbon, that can be renewed again and that is low cost to the environment, then timber is the most renewable of building products. There are two ways of bringing timber to the market. We can either grow it ourselves and reduce our carbon footprint that way or we can import it. Putting the impost on another part of the country or another country to supply us the timber that we need to build our houses and furniture and to produce the fibre for our State and our country is an abrogation of our responsibilities, because it means that some other place that has a lower standard of environmental regulation and market control around the way that timber is produced is supplying it for us. It is basically making sure that we do not worry about where it comes from; we just get the product. Whilst I respect Ms Cate Faehrmann and her position, she spoke about conservation practices. Ultimately, we have to work out the balance between forestry and the environment. We can have that balance. Locking up forests and stopping the timber industry only sends the problem elsewhere and means that we are not responsible for it ourselves.

XPT TRAINS

The Hon. MARK BUTTIGIEG (14:24): I bring to the attention of the House a recent community campaign run by the Rail, Tram and Bus Union [RTBU] to save the XPT sleeper carriages. The XPT, which stands for "express passenger train", has services to Sydney, Melbourne, Brisbane, Dubbo, Grafton and Casino and is loved by locals and tourists alike for its delicious scones and the beautiful scenery. The XPT provides commuters with an economical and sustainable way of travel and has become more and more popular in recent years, particularly its overnight service. That is testament to its true value in the community, especially in the face of rising living costs and expensive airfares. For instance, trips from Sydney Central to Melbourne and vice versa have increased by an average of 3,000 patrons per month in the decade since 2013.

The trip from Sydney Central to Brisbane on the XPT is more than 14 hours. From Sydney Central to Melbourne, it is almost 11 hours. Considering the length of those journeys and the increased popularity of overnight trips, it is no surprise that sleeper carriages are well used by travellers, and I hear they book out quickly in peak times. The XPT first came into use in 1982, and in 2019 the former Liberal-Nationals Government awarded a contract to replace the XPT, Xplorer and Endeavour trains with a new regional fleet. To the dismay of passengers, that contract did not include sleeper carriages. The RTBU launched an online petition in February to save the sleeper carriages. Currently there are over 1,900 signatures to the petition. Transport for NSW and

NSW TrainLink are currently looking at potential options like repurposing the existing carriages to address the issue. I note that, following discussions, Minister Jenny Aitchison is actively looking for a solution.

I remember the days when I was a kid and my mum and dad would pack us off on the train with the grandparents to Tamworth for school holidays. We did not use sleeper carriages; we nevertheless enjoyed it. But on those long trips it simply does not make sense not to provide adequate sleeping quarters for people to enjoy those trips so that they can get a decent night's nap. It is too late for the new trains to be manufactured in New South Wales. The contracts have already been signed and those commitments have already been made. But, given that the fit-out, testing and commissioning is being done in Dubbo, there is some scope for us to perhaps refit those sleeping carriage facilities. It is a great campaign. I congratulate the RTBU and its secretary, Alex Claassens, and thank them for bringing it to my attention. The House should acknowledge that campaign and support it.

NATIVE FOREST LOGGING

Ms SUE HIGGINSON (14:27): It would be no surprise to any member in this place that today I put on record some simple facts about our beautiful, remarkable, precious public native forests across New South Wales. We know that public native forest covers around 1.8 per cent of the entire State. We also know that that public estate is in serious trouble. For over 200 years we have flogged it, we have flogged it, and we have—in no uncertain terms—flogged it. We have used dozers, we have used chainsaws and now we have giant, enormous, monstrous harvesting machines. In many regards we are treating our precious public forest estate like an industrial wasteland, and the Government has the nerve to put up a political veil of untruth and call it "sustainable". It is simply not sustainable.

I know it is not sustainable because I know the public forest estate very closely and intimately. I have been frolicking in it since I was a young person. I can guarantee that it includes places of magic and wisdom. Those places are ancient, but they are literally hanging on for their dear lives. In 2019 and 2020 we saw fires like we have never seen burning through those forests. Right now, in the northern part of the State, where the Government has committed to creating a Great Koala National Park, I am flabbergasted and alarmed that it is currently advertising positions for foresters who have expertise in silencing dissent and protest. I am really worried for the State, for this Government and for our communities. And, my word, I am worried for our forests.

Our forests are literally the front line of our defence in tackling extinction and the climate crisis. They are home to some of the world's most endangered, unique and beautiful wildlife. I am talking about greater gliders, yellow-bellied gliders and glossy black cockatoos—animals I advocate for every living, breathing moment of my life. I can only hope that my grandchildren's grandchildren, and those of all members, get the joy of living amongst them. I hope they simply get to survive. Tomorrow is the International Day of Forests, a day we are meant to educate ourselves on our forests. Can we have a timber industry? My word we can. Let us get on those cleared lands and start growing trees. Let us protect our public native forest estate.

Motions

FORESTRY INDUSTRY

Debate resumed from an earlier hour.

Ms SUE HIGGINSON (14:30): In reply: Members heard a great deal of nonsense in debate on this motion. We heard that we should not be allowed to talk about when the Environment Protection Authority—our environmental watchdog—in no uncertain terms prosecutes in a public, open court a rogue, unlawful serial offender, the Forestry Corporation of NSW, for damaging and harming the forest and breaching the law. Lo and behold, that was this week. Last week it was fined $45,000 for—guess what?—breaching the law. Then the Minister stands in this Chamber and says the industry is sustainable and looking fine. It is not true. This veil of sustainability is a political, environmental, economic and industry lie. We are losing money at rapid rates—some $18 million of public money over two years—propping up an industry. What concerns me most is we have a Labor government that is literally watching a workforce get to a cliff and it is going to push those workers off. It is pretty catastrophic, really.

The future of the timber industry is in plantations. The Minister talked about housing. Not one stick of timber from the Great Koala National Park Area will go into housing that will help address the housing crisis. How do we know this? All of that timber is coming from the softwood plantation estate. Members in this place need to take responsibility. We need to talk about the facts. We should stop logging the public native forest estate right now. We should grow up and face the music. We should take responsibility and do the right thing for today and tomorrow. It is time to end native forest logging. I hope all members support my motion.

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

The House divided.

Ayes 6
Noes 32
Majority.....26

AYES

Boyd	Cohn	Higginson (teller)
Buckingham	Faehrmann (teller)	Hurst

NOES

Banasiak	Jackson	Moriarty
Borsak	Kaine	Munro
Buttigieg	Latham	Murphy
Carter	Lawrence	Nanva (teller)
D'Adam	MacDonald	Primrose
Donnelly	Maclaren-Jones	Rath (teller)
Fang	Martin	Ruddick
Farlow	Merton	Sharpe
Farraway	Mihailuk	Suvaal
Graham	Mitchell	Tudehope
Houssos	Mookhey	

Motion negatived.

Bills

ENVIRONMENT PROTECTION LEGISLATION AMENDMENT (STRONGER REGULATION AND PENALTIES) BILL 2024

First Reading

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

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.

Motions

REGIONAL YOUTH TASKFORCE

The Hon. SARAH MITCHELL (14:41): I move:

(1) That this House acknowledges the importance of giving young people a voice on policy matters that impact them.

(2) That this House notes that under the former Liberal-Nationals Government there was a dedicated Minister for Regional Youth and a Regional Youth Taskforce.

(3) That this House calls on the New South Wales Government to:

(a) continue the Regional Youth Taskforce; and

(b) fund initiatives for young people in regional communities, particularly those who are at risk of being engaged in the criminal justice system.

This is a matter of high importance for the Opposition. We want to ensure that those who live in regional New South Wales, and young people in particular, have a strong voice to government. The first part of the motion is about acknowledging the importance of giving young people a voice on policy matters that impact them. That

should be a universal truth acknowledged by all sides of politics, because better outcomes and better engagement come from listening to those who are most acutely impacted by policy decisions. We took that very seriously when we were in government.

As education Minister, I established the Department of Student Voices in Education and Schools. That was after the COVID period, when we did a lot of liaising with principals, teachers' organisations and sector groups on education but there was not a strong or united voice from our student body, so we established the Youth Advisory Council to provide direct input and insight to the Minister. Some amazing young people came through that process, and I am pleased that it has continued under the Labor Government because it is a good policy. It is good to give people who are directly impacted by policy decisions a voice. The Opposition believes that voice should extend specifically to young people in regional communities.

I note that our Government had a dedicated Minister for Regional Youth, which the President well knows, having held that position. It also had the Regional Youth Taskforce, which started under the President's predecessor in the ministerial role, our colleague the Hon. Bronnie Taylor. It was an important initiative that gave those who live and work in regional communities a direct voice to government. I acknowledge that the Minister with responsibility for youth is in the Chamber, but the specific regional element is no longer part of her title. We are concerned by that. We are particularly concerned by the uncertainty around the Regional Youth Taskforce.

I have asked the Minister about this matter in budget estimates hearings, and she has indicated that the Government is looking at the Regional Youth Taskforce. But we are now almost 12 months into this Government. The Regional Youth Taskforce that ran throughout 2023 was established by the previous Government. There is no 2024 regional youth taskforce, and there does not seem to be any indication from the Government yet about what that process will look like. I acknowledge that there are other youth organisations. The Advocate for Children and Young People and the Youth Advisory Council, which operates under that umbrella, are important and do good work. No-one disputes that.

Under the Liberals and The Nationals there was a specific voice for young people in the regions. That is particularly important at the moment because of the unfortunate increase in crime in regional communities and the high correlation between those committing crimes and those of a young age. The police will say that. It can be seen on the Local Court notices and in the challenges that magistrates are dealing with. We need to make sure that initiatives continue to be funded in regional communities, particularly for those at risk of coming into contact with the criminal justice system.

We know that it is important to have good programs in place, whether it is better diversions or programs to assist with limiting recidivism by young offenders. The former Government made a lot of money available to run youth programs. I acknowledge that some of them are continuing. A $51.2 million allocation in the 2022-23 budget supported the Office for Regional Youth and the Regional Youth Taskforce to deliver placed-based interventions. We want that to continue and to be funded in future years. If we do not give young people in the community a voice and do not run programs they will engage with, we will not get the outcomes we need, particularly for those who are most at risk of going down the wrong path.

The Government also has the opportunity to fund some good initiatives that already exist, including BackTrack, which Bernie Shakeshaft and his team runs in Armidale and across the State to engage with young people. Those young people have told their stories about where they would have been without Bernie and his team. There are also people like Joh Leader, who runs LeaderLife in Dubbo. She has the most incredible engagement with youth at risk and helps them to get on the path to a better life for them and their families. Good people are working in this space and good programs have already been funded. We want that to continue. We want the Regional Youth Taskforce to continue, and we want the Government to make a decision about it so we know what we can have in regional communities.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (14:47): I strongly agree with much of what the Hon. Sarah Mitchell, who moved the motion, has said. I am a firm believer that young people should be entitled to a dedicated voice to government. They are the ones who will inherit the consequences of the decisions that we make. The reality is that across the Parliament, despite a few notable exceptions on both sides, younger generations are not overwhelmingly represented by elected officials.

Creating space within government decision-making for youth voices is incredibly important, and I acknowledge that regional youth are a particularly important cohort to hear from. There is no disputing that the experiences of young people in regional New South Wales are distinctly different from those in city areas. There should be a specific opportunity for them to be heard. I move an amendment to the motion because the idea that the Regional Youth Taskforce is the only way for that to happen is a limiting approach to what should be a broader conversation. Therefore, I move:

That the question be amended as follows:

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

(a) elevate, prioritise and embed regional youth voices in government,

(2) Insert after paragraph (b):

(c) continue to work with young people on how they would like to be represented in government.

As my amendment acknowledges, the Government wants to prioritise and embed regional youth voices but within a statewide framework. So that is one difference. I am not sure that taskforces are the best way to do that, and this is exactly what the Government is exploring. I appreciate that the honourable member, in moving this motion, wants the Government to make a decision and get on with the job. I want that too, but I do not want to rush the opportunity for young people to participate and have their voices heard. That is the process the Government is going through. I welcome young people from across New South Wales engaging in it. Hopefully there will be a good outcome as a result of that conversation.

The Government will absolutely have more to say. We might go beyond a taskforce. It might be new, creative ways of engaging young people. I give a commitment to the mover of the motion that she is right: Youth voices need to be embedded in government. She is also right that this should include specific advocates and spaces and places for regional youth voices. The Government is going through a youth-led process to decide how that will happen, and I am really looking forward to engaging in that conversation over the next few months.

Dr AMANDA COHN (14:50): The Greens support the motion and the Government amendment. Working with people impacted by government decisions, not for them or at them, should be a given. As a former deputy mayor of Albury, I had the incredible privilege of working with the youth council, which made an extraordinary contribution to work in local government. In particular, I refer to projects like the Retro Lane Cafe, which is run by a management committee of local young people with the support of council employees. It provides a safe, free space for young people to spend time and also provides them with skills and opportunities to enter employment.

I am a member of the Committee on Children and Young People. At a hearing on Monday we had the privilege to hear from the Advocate for Children and Young People. We also heard directly from members of the statewide Youth Advisory Council, including current chair Dylan Farr, who lives in Walgett. He is one of 12 exceptional young leaders from the State selected for the council. They will meet regularly throughout the year during term time to provide advice to the Minister and to the Advocate for Children and Young People on issues, policies and laws that affect children and young people in New South Wales. We absolutely need a Minister for youth, but my concern is that the Minister for regional youth being different to the Minister for youth means that the Minister for youth is responsible for all youth except regional youth. But I think it is okay to have a Minister responsible for all youth, particularly when the Advocate for Children and Young People and the Youth Advisory Council deliberately over-represent them because of the diversity of needs in those areas.

These young people have recently given voice to their experiences of interactions with the police, crime, recidivism and the juvenile justice system across a range of consultations. Some really important work is in action right now, with peer workers doing outreach with young people who have come into contact with the criminal justice system, including in Moree, to find out why they have engaged in criminal activities and what prevention measures might make a meaningful difference. I would hazard a guess that sending the riot squad into Moree would not be recommended, as it would be "a draconian measure and response to ultimately a regional town crying out for services and things for young people to do". I am quoting Karly Warner, the chief executive of the Aboriginal Legal Service. I am sure my colleague Ms Sue Higginson will have more to say about this today and tomorrow. In conclusion, The Greens support the motion.

The Hon. MARK LATHAM (14:52): It sounds like the Government might have a $51 million cost saving available here, and I think that is a very good thing. I support that as a voice of fiscal responsibility, recognising the need to bring the outrageous, reckless spending of the former Government under control. With regard to youth councils, we are all young enough to remember our youth. But, more importantly, if you talk to young people and ask them what they think of these youngsters who go on these political-type bodies—I do not want to be unkind about it—the answer all the time is "They're a bit unusual, aren't they? They go into these meetings and talk politics." So none of these groups is representative.

My observation of the former regional youth council is that it was like the Young Nats. Like everything the National Party did in the last Parliament, it was all about garnering votes. Let us not pretend the council was not part of that. If the Opposition wants to engage with young people, it should conduct focus groups and polling—all the things political parties do anyway. There is a desperation from the Hon. Chris Rath and other Opposition members to get the youth vote. There is currently a real Liberal Party drive for it. Good luck to them, but tens of millions of dollars of government money should not be spent to achieve that goal. We should recognise that if

there is a saving for the Government then that is a good thing, and it should get on with the job of government in other ways.

The Hon. WES FANG (14:54): I contribute to the debate and back in my colleague the Hon. Sarah Mitchell with a retrospective view of what the Regional Youth Taskforce and the Regional Youth program gave not only to the Parliament but also to the State under former Ministers for regional youth the Hon. Bronnie Taylor and the Hon. Ben Franklin. The historic view of what occurred as opposed to the current situation, as my colleague the Hon. Sarah Mitchell spoke about, is that in the last term of Parliament those voices were heard through the Regional Youth Taskforce and the Office for Regional Youth, which gave the former Ministers for Regional Youth the ability to articulate the views of rural and regional communities that were going through a tough time. Issues like the floods in Ms Sue Higginson's area—and certainly before that the bushfires and the drought—impact rural and regional kids much more acutely than they may impact kids in metropolitan areas, so that specific voice and the ability to bring to the attention of the Minister and the Parliament those specific issues and the way in which those communities needed help and could help others was vitally important.

My good friend and colleague the Hon. Sarah Mitchell's motion not only speaks to what the Opposition, the former Government, would like to see in relation to the current situation but also looks back at what was done for kids in rural and regional communities that better informed and educated the House so that their voices were heard, which was vitally important. The legacy of the Ministers in that portfolio and the voices of the kids who were part of the Regional Youth Taskforce will all live on and show that through that really tough time of COVID, drought, bushfires and floods kids in rural and regional communities needed the opportunity to help themselves. That is what they did through this program.

Ms SUE HIGGINSON (14:57): I make one comment. When talking about young people's voices and what we are doing right now in this State, we need to look at our most vulnerable. Last week the Government said that it was going to introduce measures that will mean that more kids will end up behind bars and more First Nations kids will end up in custody. If we are going to talk about young people's voices and having representation, we need to start with the truth about what we are doing. Karly Warner was shocked, betrayed and let down—given that there is a commitment from the Government to do all that it can to close the gap—that the Premier said, "If I'm honest, this will end up with more First Nations kids behind bars." That is not listening to these young people, which we should be doing right now. They are in trouble, they have fallen off the tracks and they need help, not custody. When talking about the voices of youth and their representation in this place, I would like all members to be honest and to put that front and centre of the conversation.

The Hon. SARAH MITCHELL (14:59): In reply: I thank members for their contributions. I do not oppose the Government amendments, partly because I can count but also because I can see that, while the amended motion does not go as far as I would have liked, there is a genuine attempt to ensure that regional voices are heard. I respectfully disagree with the comments by the Hon. Mark Latham about investment in this space being somewhere that the Government could save money. If we put money into the right youth programs, that saves the Government money in the long term. Every dollar that we invest in an organisation like BackTrack would pay itself back tenfold because the work that Bernie and his team do keeps kids out of jail and gets them working, helping them to be productive members of society. The same goes for people like Joh Leader at LeaderLife.

The social good of government investment in this space is there, but there are also economic benefits. I appreciate what the Minister said about not wanting to rush this and hoping to have a way forward in the next few months, but I urge her to do it as expeditiously as possible. People are talking about this, and we want to make sure that voice continues in whatever shape the Government chooses to take, in consultation with young people. But time is ticking. We would like to see something implemented sooner rather than later.

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

Motion as amended agreed to.

The PRESIDENT: It being 3.00 p.m., according to the determination of the Business Committee of Tuesday 19 March, proceedings are now interrupted to allow private members' business item No. 666 relating to the bicentenary of the Legislative Council and Wiradjuri history, and private members' business item No. 667 relating to the bicentenary of the Legislative Council and consultation with First Nations people, to take precedence.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS

The Hon. BOB NANVA: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House for today.

Motion agreed to.

CONDUCT OF BUSINESS

The Hon. BOB NANVA: I move:

That, further to the determination of the Business Committee of Tuesday 19 March 2024:

(a) private members' business notices of motions No. 666 on the *Notice Paper* relating to the bicentenary of the Legislative Council and Wiradjuri history, and No. 667 on the *Notice Paper* relating to the bicentenary of the Legislative Council and consultation with First Nations people, be considered in globo; and

(b) debate on the motions may include speaking in the Wiradjuri language and that a translation in the English language be included in *Hansard*.

Motion agreed to.

Visitors

VISITORS

The PRESIDENT: I welcome and acknowledge the guests of the Hon. Jeremy Buckingham and the Hon. Stephen Lawrence in the President's gallery today. Wiradjuri Elders Dinawan Dyirribang, Uncle Bill Allen; Werribee, Aunty Leanna Carr; Lynda-June Coe; Yanhadarrambal, Uncle Jade Flynn; Arlia Fleming; Lisa Paton; and Uncle Richard "Ricky" Powell. They are all incredibly welcome, and I thank them for being with us. I also welcome the Minister for Aboriginal Affairs and Treaty, the Hon. David Harris.

Motions

BICENTENARY OF THE LEGISLATIVE COUNCIL AND WIRADJURI HISTORY

BICENTENARY OF THE LEGISLATIVE COUNCIL AND FIRST NATIONS CONSULTATION

The Hon. JEREMY BUCKINGHAM (15:03): I move:

(1) That this House congratulates the President of the Legislative Council, the Hon. Ben Franklin, MLC, and staff on the organisation of "The Spark", the second in a series of seminars at Parliament House that explored the Act that brought the Parliament and the Supreme Court to New South Wales.

(2) That this House notes that "The Spark" was a precursor to a series of events planned for next year to commemorate the bicentenary of the Legislative Council, Australia's oldest Parliament, and the foundation for 200 years of parliamentary democracy and the rule of law.

(3) That this House further notes that:

(a) 14 August 2023 is the 200-year commemoration of the colonial government's declaration of martial law west of the Blue Mountains on the Wiradjuri nation;

(b) 11 days after the declaration of martial law, the first meeting of the Legislative Council was held on 25 August 1824;

(c) the very first decision of the Legislative Council was to appoint Lieutenant Governor Colonel William Stewart, who was integral to the formation and ultimately led the New South Wales mounted police to enforce British rule on the Wiradjuri nation and Aboriginal nations across the colony; and

(d) it is vitally important to consider the history and context of the Legislative Council's formation at the time of what was openly acknowledged by settlers and government as a period of war or "Gudyarra" against the Wiradjuri people, a war of dispossession and occupation.

(4) That this House calls on the Legislature and the bicentenary organising committee to strongly consider:

(a) the history of the Wiradjuri nation in the Bathurst region be recognised and respected;

(b) the role the Legislative Council played in the administration and oversight of the British Empire's prosecution of the "Gudyarra" or the Wiradjuri war of resistance, and subsequent colonisation of Wiradjuri land be recognised and remembered as an integral part of commemorations;

(c) the previous Government's "support in principle" for recommendation number 17 of the Standing Committee on Social Issues report on the review of the Heritage Act 1977, which states, "That the New South Wales Government allocate specific funding for an Aboriginal war memorial museum and work with Aboriginal people across New South Wales, including traditional owners, to progress this proposal"; and

(d) consult with Wiradjuri Elders and knowledge holders from Wiradyuri Traditional Owners Central West Aboriginal Corporation and Bathurst Regional Council on the funding and establishment of a State significant Wiradjuri cultural and history facility in Bathurst.

On behalf of the Hon. Stephen Lawrence, I move:

(1) That this House notes that:

(a) the bicentenary of the Legislative Council will be celebrated in 2024, marking 200 years since the first sitting of the Legislative Council on 25 August 1824;

(b) 1824 was a time of extensive conflict between the new colony of New South Wales and Aboriginal people who were resisting colonial expansion and the occupation and dispossession of their land; and

(c) on 14 August 1824, 11 days before the first meeting of the Legislative Council, such conflict led to martial law being declared in the colony of New South Wales west of the Blue Mountains.

(2) That this House notes that:

(a) the establishment of the Legislative Council was a key recommendation of a commission of inquiry, headed by Commissioner John Thomas Bigge, established by the British Government to carry out a wideranging commission of inquiry into the state of the colony;

(b) the Bigge commission of inquiry took place between 1819 and 1823, with its findings being published in three reports between 1821 and 1823;

(c) the Bigge inquiry also made decisive and far-reaching recommendations related to the expansion of the colony west and the further dispossession of land from Aboriginal people; and

(d) these recommendations were swiftly acted upon and led directly to a war between Aboriginal people and the colonial State west of the Blue Mountains between 1822 and 1824.

(3) That this House notes that in its first sitting the new Legislative Council made a decision to appoint as Lieutenant Governor Colonel William Stewart, a British soldier charged with establishing the mounted police, who were to play a leading role in subsequent punitive actions against Aboriginal people resisting colonial expansion.

(4) That this House notes that the establishment of the Legislative Council is inextricably linked to colonial expansion, war and dispossession, and the legitimate resistance of Aboriginal people.

(5) That this House notes that while the establishment of the Legislative Council is a significant milestone in the development of the colony, it is also therefore a key milestone in the history of the tragic ensuing events, which included the dispossession of Aboriginal people of the land and the enactment of legislation and policies including child removal that collectively constitute a stain on Australia's history.

(6) That this House calls on this Parliament and the bicentenary organising committee to consult with Aboriginal people as to whether and how to prominently recognise this history as an integral part of the upcoming bicentenary events.

It is our great honour today to have Wiradjuri Elders and traditional owners joining us in the President's gallery: Dinawan Dyirribang, Uncle Bill Allen; Yanhadarrambal, Uncle Jade Flynn; Werribee, Aunty Leanna Carr; Uncle Ricky Powell; and other community members. I welcome them. I thank them for their attendance today, for the privilege of their shared wisdom and knowledge, their resilience, their generosity, their culture, and their language, some of which I have the privilege of sharing today. I begin with a Wiradjuri acknowledgement of country:

Yinaa-galang-bu, Gibir-bang,
Ngi-yanhi Gadigal-Garray Eora Ngurambang-gu,
Yindyamarra Gadigal Mayiny Gadigal Ngurambang Murrubun Walumarra Nginha Dhaargun,
Ngiyanhi Nginha Nginyalgir Dhanu,
Yalul-Durru-durru-bu-wulin-Bungu-Bungu.

Ladies, and gentlemen,
We are here in the land of the Gadigal people,
We pay our respects to the Gadigal people the original custodians of this land,
We are glad you are all here. Always, forever more.

Ngiyang-garrang—these speeches—and motions by the Hon. Stephen Lawrence and I remember and recognise the bicentenary of the Gudyarra war on Wiradjuri country in the region we now call Bathurst, Gudyarra-la Wiradjuri Ngurambang.

These motions call for the Parliament and the bicentenary organising committee to consult with Wiradjuri and Aboriginal peoples to ensure Legislative Council bicentenary celebrations recognise and reflect our shared history, and that the Government consider funding a permanent memorial and cultural history facility in Bathurst. We bring these motions before the House to honour the Wiradjuri people and mark the bicentenary of the Gudyarra, through the lens and in the context of the bicentenary of the formation of this great institution, the New South Wales Legislative Council. We do so because these significant histories are deeply, inextricably intertwined: transpiring contemporaneously, influenced and involving the same crucial actors, on the same

country, clearly interdependent. We do so because the Gudyarra is one of the most significant military and foundational stories of New South Wales and, indeed, our nation. We do so to recognise and record the painful truth of our astounding and difficult history.

We do so because the story illustrates the nature and form of the conquest, dispossession, colonisation and government that occurred in this country. This story is of a ferocious and fascinating crucible of colliding civilisations, war, massacre and genocide but also an inspirational story of resistance, resilience and survival. Survival of First Nations and the great Wiradjuri nation, survival of their history, culture, ceremonies and language to the benefit of us all. We do so because these stories, some of them awful, describe the character of events and actions that can be reasonably seen as the progenitor of the terror and injustice which was to follow. And we do so to highlight the hope and humanity that existed then and defines us still.

August 1824 is a doubly important bicentenary because it marks a critical juncture in our history. The Gudyarra, the homeland war of resistance, and the Battle of Bathurst raged. The declaration of martial law on the Wiradjuri by Governor Brisbane was made just 11 days prior to the Legislative Council meeting for the very first time on 25 August—the beginnings of Australia's self-government and, ultimately, representative democracy. The critical extract of the proclamation by Governor Brisbane reads:

> ... by Experience, it hath been found, that mutual Bloodshed may be stopped by the Use of Arms against the Natives, beyond the ordinary Rule of Law in Time of Peace; and, for this End, Resort to summary Justice has become necessary …

We understand more if we remember the decisions of the first Legislative Council in the context of what was a principal concern to the Governor and the colony at that crucial point in time: the Gudyarra war. Its outcome was of critical importance to the survival of the colony, both militarily and economically. The Governor, the Legislative Council and mercantile Sydney knew the future of the colony depended on the rapid defeat of the Wiradjuri, and occupation and utilisation of their land. As *The Sydney Gazette* reported at the time, the war exposed "the strength and wealth of the colony to destruction."

But how had it come to this? How had this Gudyarra war with the Wiradjuri grown to the point it was an existential threat to the colony? In 1813 the Blue Mountains were crossed by Blaxland, Lawson and Wentworth, who became the first Europeans west of the Great Dividing Range. Blaxland noted at the time that there was enough grassland west "to support the stock of the colony for 30 years". Governor Macquarie moved swiftly, sending George Evans out the same year to survey. He did so with urgency as the best agricultural parts and poor soils of the Sydney Basin had been quickly occupied and were being exhausted by a patrician class of expansionist pastoralists and their growing stock. Mr John Macarthur—whose bust is on the wall behind me—and others were hungry for larger holdings to grow their herds of cattle and sheep that literally fed the colony and fed the colony's growth and trade. Evans reached well beyond his predecessors into Wiradjuri country.

The Wiradjuri of the Bathurst region were and remain the most easterly grouping of the Wiradjuri nation. Their totem was the goanna. The Wiradjuri lived for 40,000 years or more in extended family groups of around 30 men, women and children, moving between different campsites and hunting grounds, travelling for trade, and performing a coherent cycle of ceremonies to honour their ancestors, their dreaming and their relationship with the land. They made periodic journeys throughout the well-watered country around the Wambool river. The Wiradjuri fished from canoes and hunted with spears and nets for ducks, kangaroos, goannas, snakes, lizards, emus, possums, wallabies and waterfowl. Their food supply was plentiful. What Evans witnessed has been described as the "largest estate on earth". There were open grassy woodlands with abundant grasses and permanent pristine rivers running inland south-west and north-west. The park-like hunting grounds of the Wiradjuri were landscapes crafted carefully and deliberately with fire, culture and knowledge for millennia.

Evans came upon the Wambool and Kalare rivers—now the Macquarie and Lachlan rivers—and beneath the impressive mount that dominated the region, Wahluu—or Mount Panorama to some—were rich alluvial river flats fit for the best cropping. Evans had a peaceful encounter with the traditional owners beneath Bubay Wahluu, now Mount Stewart. He found a group of women and children on the banks of the Wambool, which was a deep, clear, meandering fish-filled waterway. Evans gave them fishhooks, twine and a tomahawk. That was the first recorded interaction between whites and the Wiradjuri.

Evans gave such encouraging reports of the plains and pastures that Macquarie immediately decided to build a road over the mountains. In 1814 William Cox, with a team of 30 convicts and eight British soldiers, built Macquarie's 100-mile road in six months. The Governor traversed the road in April 1815 before raising the British flag on 7 May, watched by seven bemused Aboriginal males. Macquarie named Bathurst, Australia's first inland colonial settlement, after the Secretary of State for War and the Colonies, Henry Bathurst, 3rd Earl Bathurst. Soon land grants were made and large cattle and sheep herds were moved by convict stockkeepers over the range into the hunting grounds of the Wiradjuri. The Wiradjuri tolerated the encroachment and the peace generally held. Bathurst was garrisoned with troopers and convicts, but settlement grew slowly.

In 1819 John Bigge was appointed a special commissioner to examine the government of the colony of New South Wales by Lord Bathurst. His brief was to determine how far the colony of New South Wales could be "made adequate to the objects of its original institution", which were understood to be purely a penal colony. He was to come to Australia to investigate all aspects of the colonial government, including the finances, the church and the judiciary, the convict system and, most importantly, the prospects for trade and agriculture. Bigge travelled to Bathurst and his reports confirmed what explorers Evans, Oxley and others had seen—that the impressive and fertile river valleys could support vast herds of stock and the profitability of immense agricultural enterprises.

The Bigge commission and reports led in part to the decision by the British to create self-government, a judiciary and a territorial expansion west. The colony was worth keeping. When Governor Macquarie was replaced by Brisbane in 1821, the rate of the land grants, cattle herds and invasion west of the Blue Mountains accelerated, and the tension grew. Homestead buildings and stockyards were sometimes built indiscriminately, often on land sacred to the Wiradjuri. Ceremonial grounds were destroyed. Despite Wiradjuri retiring away in part before the unending expansion, the arrivals led to increasing and more violent conflict with convicts and shepherds. In a cycle that grew, traditional food sources became overrun by cattle. Resisting and hungry Aboriginal people speared and sometimes ate stock. Shepherds who confronted and attacked them were murdered and a pattern of retribution and disproportionate reprisal that had characterised the colony continued. *The Sydney Gazette* stated:

> Advices from Bathurst say that the natives have been very troublesome in the country. Numbers of cattle have been killed. In justification of their conduct, the natives urge that the white men have driven away all the kangaroos and opossums, and the black men must now have beef!

In 1822 the Wiradjuri attacked a station on the Cudgegong River in which they drove away the convict stockkeeper, let the cattle out of the yard and killed several sheep. More attacks followed, some in reprisal for maltreatment of Aboriginal women. As Lawson noted at the time in reference to the attacks, "There must be some provocation." In 1823 the valuable government stockyards at Swallow Creek were attacked and then abandoned in fear. Stockkeepers were terrified and would not leave their huts to muster. A correspondent to *The Sydney Gazette* reported:

> The natives are assembled in a body to the number of six or seven hundred proclaiming aloud their hostile intent.

At the same time, settlers had used arsenic-laced flour and damper to poison hungry Aboriginal families. Later that year, Windradyne—the Wiradjuri's head warrior, known to the colonists as Saturday—who was leading his nation's war parties, was captured and imprisoned for a month. *The Sydney Gazette* stated:

> He is one of the finest looking natives we have seen in this part of the country. He is not particularly tall, but is much stouter and more proportionably limbed than the majority of his countrymen; which, combined with a noble looking countenance, and piercing eye, are calculated to impress the beholder with other than disagreeable feelings toward a character who has been so much dreaded by the Bathurst settler.

In early 1824 Windradyne's wife, Warrama, his eldest son, Murrabri, two nieces and his mother-in-law were killed in a massacre that was called the Potato Field Incident near Bathurst. After a meeting of Elders and lengthy discussions, decisions were made that Gibun, the act of carrying out payback, would occur. Windradyne and the Wiradjuri told each other and the colonists that they would kill or "tumble down white fella". North and south of Bathurst the frequency of violent attacks and reprisals worsened. Surprise revenge attacks by the Wiradjuri occurred regularly. Those attacks included men being speared, weapons being stolen, buildings being burned and livestock being killed. The settlers followed by murdering any Wiradjuri they could locate.

After the declaration of martial law in August 1824, a detachment of the 40th Regiment of Foot was rushed to Bathurst. Together with armed militia they continued murdering and massacring Wiradjuri groups and individuals, killing everyone on sight, including the elderly, women and children. The Battle of Bathurst began on 10 September 1824, when a Wiradjuri war party attacked a station on the Cudgegong River. They drove off cattle before being pursued by station hands. In an ambush the station hands were chased back and in the retreat three Wiradjuri warriors were shot dead. The following day the station hands returned to where the war party was camped and burying their dead, and fired, killing 16 and wounding many more.

At the outset of martial law, the Wiradjuri were informed that the war against them would continue until their leadership were given up. Large numbers of Wiradjuri surrendered in the face of the violence. In December 1824 Windradyne surrendered in Parramatta and the declaration was repealed. Scores of colonists lost their lives and thousands of Wiradjuri were killed or displaced in the Gudyarra. In that month, Governor Brisbane wrote to Major James Thomas Morisset, military commandant at Bathurst, to thank him for effecting "the purpose of the declaration … by the judicious measures taken by you ... the Aboriginal natives have learned to respect our power".

That brings me back to August 1824. As we recognise and celebrate 200 years since the Legislative Council sat for the first time on 25 August 1824, I argue that, when we reflect on the past and the history of our House

generally, we would understand more if we consider the formation and decisions of the first Legislative Council in the context of what was of principal concern at the time—war and survival. The colony had not been a flourishing success and its future was not assured. It was a corrupt and nepotistic penal colony wracked with crime, violence, alcohol, social division and starvation. As Robert Hughes described it in *The Fatal Shore*:

> … a tiny outpost, racked with hunger and scurvy, clinging to the edge of a continent.

As I have laid out, the Gudyarra war and expansion of the colony and its vital herds of stock into Wiradjuri land were of critical importance militarily, economically and politically. Established under the New South Wales Act 1823, a small, four-member appointed Legislative Council, comprising the colonial secretary, the chief justice, the surveyor general and the principal surgeon, began meeting to advise the Governor. I argue that much can be garnered from what occupied the mind and agenda of first councillors and instructed the actions they subsequently took.

The Council's very first act, recorded in the minutes of its very first meeting, was the appointment of Major-General William Stewart as the fifth member of the Council and Lieutenant Governor. Stewart was a successful and decorated soldier from the highest echelon of the enormous and globally ascendent British military—an army and navy that carved an unprecedented and unmatched empire into every continent with sail, cannon and bloodied bayonet. Stewart suppressed slave revolts in the West Indies and fought First Nations in Canada. He served with Lord Wellington in Portugal and was wounded at Waterloo. He was a veteran, a professional killer and nothing if not a war horse. He was the man for the empire's and Council's job.

On the basis of the Legislative Council's Rossi report into the need for a mobile police force, Stewart would quickly oversee the creation of a highly mobile, well-resourced police, which he was to head. By 1825 the NSW Mounted Police Unit—or, as it was known, Stewart's Police—was operational, comprising the colony's best soldiers armed with the best equipment and rifles. The unit was personally led by Stewart into the west and garrisoned at Bathurst in the heart of Wiradjuri country. This was Britain's, the Governor's and the Council's geopolitical and military strategy, designed to confront, control, dispossess and occupy land.

It was a fast-moving tactical formation created to undertake the suppression of the First Nations warriors and guerrilla resistance—a ruthless and well-designed modality of mass conquest born out of the terrible horror and bloody conflicts of the recent Napoleonic wars and wars of British imperialism. The atrocious tone of the conquest that would move through Wiradjuri, Wongaibon, Gamilaarajt and all the First Nations of this land for more than a century was set—a genocidal discord and deadly tide of conquest that would leave echoes of gunshot and bones in every corner of what is now Australia.

And what of Windradyne and Stewart? The former died in 1829 and was buried on the Brucedale property of the Suttor family—the Suttors of this House—outside Bathurst. He befriended a young William Henry Suttor, who learned the Wiradjuri language of the fierce chieftain. Suttor and his son Francis would later become Legislative Councillors. Windradyne's grave is marked and still tended by the local Aboriginal community and Suttor family.

In reward for his suppression of the Wiradjuri and murderous work of the mounted police, incoming Governor Darling in 1826 granted Stewart a right to stand on the summit of Mount Pleasant at the edge of Bathurst and declare his right to "all the land he could see". Stewart did so, and his property, Strath, made his family immensely wealthy. The imposing Abercrombie House was built and still stands on the grounds. In April 1854, Stewart died. He is buried beneath a huge plinth which was erected on the mount behind his property. As a stonemason working in the Central West in the 1990s, I visited the tomb, which is hauntingly derelict, unvisited and unremembered.

It is time to gari yala—speak the truth. It is time for dhuuluu-yala—straight talk. Aboriginal sovereignty over Australia has never been ceded by the First Peoples. The nation of Australia exists based originally on the false doctrine of terra nullius. That legal fiction was overturned in the High Court's 1992 Mabo judgement—that historic judgement is another in the continuing acts of resistance by Aboriginal people that stretch from 1788 to today. Owning, as a nation, the truth of our history by breaking the great Australian silence, by listening, recording, sharing and memorialising the stories that respect the memory of the fallen—both black and white—are key ways we can move forward to a place of justice, equity, forgiveness and healing for all, recognising the paths to our future pass through the pains of our past. I commend the motions to the House.

The Hon. STEPHEN LAWRENCE (15:22): I speak in support of both of the motions, including the one in my name that was moved by the Hon. Jeremy Buckingham. I firstly acknowledge the presence in the gallery of Wiradjuri Aboriginal people from the Central West, who you so warmly welcomed, Mr President. They are descendants of a people dispossessed of their land, murdered in great numbers and subjected to a range of oppressive State policies, yet they survive and seek to assert their rights, their history and their group aspirations as a people. This morning Minister David Harris and I attended a meeting with them where some of those

aspirations were discussed. They want their history to be recognised and told as we celebrate 200 years of Parliament in New South Wales. I believe all Australians owe it to Aboriginal people, and to our country, to engage honestly with our history, and to do it individually and systematically. From that, much can flow. The bicentennial of our Parliament is a great opportunity.

The first action of the new Council in 1824 was to appoint to high office William Stewart—a man who would go on to establish and lead the first police force, the mounted police. The mounted police would go on to play a key role in the murder, repression and dispossession of Aboriginal people. The establishment of the Council was a recommendation of a wideranging report into the state of the then colony carried out by Commissioner John Thomas Bigge. The report was published in three parts between 1819 and 1821 and also recommended the opening up of the lands of the Central West—the Bathurst Plains. That occurred, and Aboriginal people resisted—like anyone would if an invader arrived, without consent or treaty, and took and took and took. We can hardly put a value on the land we ultimately took from the Wiradjuri in the nineteenth century. Think of the farming, the mining, the housing and so on. It runs surely into trillions of dollars.

Many of their descendants, and the descendants of other Aboriginal peoples, live in towns across regional New South Wales, often—but not always—in poor public housing communities, with higher rates of ill-health, poor education and extreme rates of child removal and incarceration. Their lives continue to be shaped by past mass atrocities, by assimilation and paternalism, and by the sharp and rapid changes in social policy that started to occur in the 1960s—in the same way that all lives are shaped by intergenerational influences. In Australia, we now pride ourselves on being race neutral and have different views and perspectives on the relevance of group identities, yet no-one could deny we have long had a racially defined underclass in Australia. Our history is all around us. It continues to shape the present.

By 1823, outstations in the Central West were being raided by Aboriginal warriors. Sheep and cattle were being taken or destroyed, and stockmen killed. After a massacre on the banks of the Wambool or Macquarie River where some of his family members were killed, the warrior Windradyne began a war—a gudyarra—against the whites. By 14 August 1824, such conflict led to Governor Sir Thomas Brisbane declaring martial law "west of Mount York". This was the first time that martial law had been declared against an uprising by Aboriginal people in the colony. Stephen Gapps, an eminent historian, has written a book about the conflict: *Gudyarra*. I urge everyone to read it. Stephen drew my attention to a contemporary historical account by William Suttor, a pastoralist and member of the Legislative Council between 1843 and 1854. The statue to my right depicts either his son or grandson. The book is *Australian Stories Retold and Sketches of Country Life*, where William Suttor wrote:

> The proclamation of martial law was undecipherable to them as an Egyptian hieroglyph. This mattered little to the whites—the fiat had gone forth and must be acted upon. So a party of soldiers was despatched to deal with those at this camp. Negotiations, apparently friendly, but really treacherous, were entered into. Food was prepared, and was placed on the ground within musket range of the station buildings. The blacks were invited to come for it. Unsuspectingly they did come, principally women and children. As they gathered up the white men's presents they were shot down by a brutal volley, without regard to age or sex.

William Suttor's family still lives on their property, Brucedale, and David Suttor showed me Windradyne's grave on Saturday—a beautiful and solemn place. It sits in private land, but the heritage authorities have assisted to install signage. More work is needed, including to allow bus groups and the like to access the site. Bathurst Mayor Jess Jennings, who I note is present in the gallery today, also escorted me to the site. Mayor Jennings has been a champion of recognising the important history that the motions seek to raise for the consideration of members of the community and in how we mark the bicentenary of the Parliament. In my view, we need to do so as members because there is an intimate connection between, firstly, the establishment of the Parliament; secondly, the expansion of the colony which brought with it land theft, conflict and mass atrocity; and, thirdly, the martial law declaration of 1824.

Each of those three things could not and would not have happened without the other. That understanding disrupts a fictional narrative that persists in this country that European settlement was compassionate and benign and, if violent at times, unavoidably so and in accordance with the standards of the time. A recent book by David Marr in fact recounts the diversity of views being expressed in the Sydney press at the time. Some of the darkest episodes in our history were harshly judged by people at the time. The fact is our colony and, indeed, this place were responsible for extreme and unacceptable brutal frontier violence against our Indigenous peoples that even shocked people of the time. Huge numbers of Aboriginal and Torres Strait Islander people were killed defending their lands, many through the use of cold steel or poison, or as a consequence of illness and depravity inflicted through war.

The violence had started long before the declaration of martial law in 1824. The Australian Museum estimates that pre-European invasion in 1788, approximately 750,000 Indigenous people from 700 language groups inhabited the land mass that is Australia. While estimates vary, it is now clear the wars across the continent would ultimately claim more Indigenous lives than the 62,000 Australian soldiers who died in the First World

War. Indeed, one detailed study that extrapolated from native police records estimated that 60,000 Aboriginal people were killed in such wars in Queensland alone. No-one who has read books like Stephen Gapps' *Gudyarra* and David Marr's recent book *Killing for Country* would doubt those estimates.

By Federation, in 1901, the Aboriginal and Torres Strait Islander population dwindled to approximately 117,000. Attacks became more lethal over time, with the common motive reprisal for the killing of settler civilians and the killing or taking of livestock or property. As Stephen Gapps identifies, the war against the colonists during 1824 would not have destroyed the entire colony, but it was a serious moment that forced military intervention and provoked settler vengeance. He concludes that it is a travesty to not remember this period of Wiradjuri resistance as a war in our history. Yet the reality is that it has not been commemorated as such by non-Indigenous people today and bears no mention at the Australian War Memorial, our central institution for truth-telling about war.

A significant amount of truth-telling needs to occur, and I believe that we require permanent institutions to tell these stories in an ongoing manner. These institutions would serve a range of societal purposes. First and foremost, they would provide a permanent ongoing source of truth-telling. Aboriginal people, leaders and communities in New South Wales and across Australia have consistently emphasised the centrality of truth-telling to all Australians and understanding a full account of our shared history. Healing is not possible without acknowledging the truth of our shared history and the continuing impact of past practices.

Such institutions would also create employment opportunities. Visitors within and to Australia crave contact with and understanding of Aboriginal people and the at times brutal but fundamentally interesting history of this country. I have no doubt a frontiers wars museum in a place like Bathurst would quickly become a famous and successful institution. A range of Aboriginal businesses could work out of it. It would employ Aboriginal people and fulfill their legitimate aspirations for truth-telling and economic independence. As duty MLC for Bathurst, I also acknowledge the current 9th Earl Bathurst, with whom the Bathurst Regional Council has a strong relationship and who has made his family archives available for this important historical work. I also recognise the key role for local government to play in facilitating access to historical records for members of the community seeking to explore their history and their community's history. I seek an extension of one minute.

Leave granted.

The Hon. STEPHEN LAWRENCE: I note a couple of things in conclusion. The New South Wales Government has made a commitment to a 12-month consultation process with Aboriginal communities on treaty, with $5 million worth of funding confirmed in the recent budget. Truth-telling will be a critical part of such a process. A concerted effort is going on in Bathurst by Aboriginal people, including a wonderful Elders group, to highlight that 200 years are being marked since the declaration of martial law. This, in turn, means also recognising 200 years of resistance and survival of the Wiradjuri people in the Central West.

A series of community events will focus on the legacies of the Bathurst War. On 14 August 2024 the community of Bathurst are hosting a conference at Charles Sturt University entitled *Dhuluny 1824-2024: 200 years of Wiradjuri Resistance*. The meaning of Dhuluny is truth; a rectitude that is direct, straight, living or gospel. Lastly, I thank my colleague the Hon. Jeremy Buckingham, who sparked in me a real and deeper interest in the history that is the subject of these motions. I was honoured to become part of the process that has led to these motions. I hope they will significantly influence the way that the bicentennial commemoration events are conceived, prepared and carried out.

The Hon. SARAH MITCHELL (15:33): On behalf of the Opposition, I speak in support of the motions of the Hon. Jeremy Buckingham and the Hon. Stephen Lawrence. I acknowledge the guests from the Wiradjuri nation, who are in the President's gallery. They are very welcome. We are certainly appreciative of their input, particularly for the two members whose motions we are debating today. I do not want to go too much into the history; I think that was done very well by the Hon. Jeremy Buckingham in his contribution. It is important that we have these discussions and that motions are debated in the upper House, particularly when there is support from all sides about recognising the complex history of our Parliament and of our nation. We must have sensitive and sensible discussions about these matters. I hope what we are seeing today is what I think is the best of this Parliament when we can agree on something important.

We also need to acknowledge the disproportionate suffering of First Nations people and the impact that it had at the time and still has to this day. As I was doing research for this debate, I was most interested to find how little I knew about things that I thought I was aware of, particularly having been the Aboriginal affairs Minister in New South Wales for a couple of years. I have spent time travelling in many areas of the State, working closely with Aboriginal Elders, but I was not fully across the specifics and the detail of what had happened in the Bathurst area. I think that goes to the point of the motions, which the Hon. Stephen Lawrence spoke about in his contribution, about having a cultural centre—a memorial—where these stories can be told and be shared not just

within the Indigenous community but with all Australians and international visitors. I think that is a sensible suggestion. Knowing that the Minister has been here—I am sure that he is listening eagerly—I am sure he will also be supportive of it.

I make a point about consultation with Wiradjuri Elders concerning the establishment of that State significant cultural and history facility in Bathurst and an involvement in the upcoming bicentenary of this Parliament. The motion of the Hon. Stephen Lawrence calls for the Parliament to engage with Aboriginal people as to how this history should be recognised as part of the upcoming bicentenary commemorative events. It is important, because if we ignore history, we are denying what has happened. We must make sure that we are open and honest in our transactions in this Parliament and with the community. This Parliament is at its best when it genuinely engages with those who have been impacted by decisions that were made in recent times or in the past.

During my time as Minister, I saw the Parliament work incredibly well with Aboriginal Elders when we introduced the Aboriginal Languages Act. Members in this House were present at the time and I am sure other members would have heard about it. In his absence, I acknowledge the Hon. Mick Veitch, a former member and member of the Labor Party, who was very much involved in that process. Elders stood in this Chamber—a space that is normally reserved only for elected members of Parliament and their staff—and spoke in their language, with the full support of all elected members in this place, to recognise the importance of language, the previous oppression and the support that must be in place to reawaken language. It was a powerful day.

Members will see the message stick in the cabinet to my right. It has a permanent place in this Chamber. It is brought out and placed on the table during the opening of Parliament and other events. The presentation of the message stick was incredibly powerful and symbolic—a recognition of the fact that the decisions we make in this place and the impacts that those decisions have on First Nations people must be front of mind, particularly when we are dealing with important issues that have an impact on our Aboriginal communities.

I have seen firsthand how well this Parliament engages. We achieve the best outcomes when we have genuine consultation, particularly with Aboriginal Elders, with regard to these challenging and confronting events. We cannot deny that. Some of the stories of what happened, particularly during that period of martial law, are horrific. They are confronting. But it is important that those stories are told through motions that we are debating today, through the establishment of an appropriate cultural and historical facility in Bathurst and through engagement as we commemorate the bicentenary of this Chamber. We cannot ignore the past, but we can learn from it. The more that we can educate people—members in this Chamber, people outside and the next generation—about our shared and complex history of this State, the better off we will be with regard to future decision-making. I thank the Hon. Jeremy Buckingham and the Hon. Stephen Lawrence for their motions. On behalf of the Opposition, I offer my support for these motions.

The Hon. MARK LATHAM (15:38): It is always good to have a debate about Australian history in this Chamber. Knowing that this debate was coming up on the *Notice Paper*, I naturally reached for the bible: Manning Clark's *A History of Australia*. No-one, particularly from the left side of politics, can dispute the greatness of Manning Clark, who was idolised by Whitlam and others through the 1980s, 1990s and beyond. I always find these debates curious. It is almost like no-one ever wrote an accurate history of Australia. Well, you cannot quibble with Manning Clark, who, over six volumes and 2,000 pages, is as reliable and great a historian as this country will ever see.

It is fascinating to read what he regarded as the main event in the colony in July and August of 1824. He thought it was the return to Sydney of W. C. Wentworth, explorer, statesman and politician, who was a great advocate of self-government and probably the father of Australian identity. At page 51 of his second volume of our history, Manning Clark wraps the return of Wentworth into the establishment of the Legislative Council. Of Governor Brisbane and the events of 1824, he writes:

> On 25 August, one month after Wentworth had stepped ashore from the *Alfred*, the first session of the Legislative Council began in the Court House in Sydney. Neither Brisbane nor the members lingered over the significance of the occasion. Brisbane asked them whether they wished to proceed in the absence of the Lieutenant-Governor, and when they replied in the affirmative, he announced that as there was no further business the Council stood adjourned.

After 200 years, haven't we come full circle? Under the Minns Government we adjourn now at six o'clock on a Tuesday and four o'clock on a Thursday, with no further business to be transacted—although we do all that in the absence of great men like W. C. Wentworth. It is also interesting to note, in the argument about not ignoring history, whose history it is. Manning Clark records that there was a war on the frontier with the Indigenous, but he writes that it was in Van Diemen's Land, not New South Wales. Like the war memorial, the great Manning Clark makes no mention of the events that these motions address. We need to put them in perspective. The bicentenary of this House needs to be about the Legislative Council.

Are we going to have bicentennial events about the return of W. C. Wentworth to Sydney? I hope not because, while he was a very great man, that is not part of the bicentenary of this House. If there are separate events for a bicentenary relating to the subject of the motions, the Wiradjuri people, that is well and good. I for one—and I know there are other members who feel the same way—will not participate in events that are writing in Aboriginal content purely for the sake of imposing the woke agenda of 2024 on the historical record of 1824. We use the word "inclusive" a lot; the bicentennial occasions need to be "inclusive". I do not think you can wrap everything that was happening in the colony in July and August of 1824—some things claimed and others factually recorded by Manning Clark—into the celebrations. It is an extrapolation and a hyperbole that I think does no justice to this House and the real purpose of our bicentenary.

I will make one cheeky comment in closing. The colony needed to move west of the Great Dividing Range and Wentworth himself, as a younger man, had established the route across the Blue Mountains. They needed to do it to have crops and feed themselves. I am sure there are crops in the west now that the honourable member and leader of the cannabis party could reflect on. I do not see any of those farms ever returned to Indigenous people. But cropping was the main purpose of moving west of the Great Dividing Range. Of course there was conflict. It was mentioned by Robert Hughes, who gives one sentence to those events in *The Fatal Shore*, essentially to say, "Yes, there were conflicts, some of them unnecessary, all of them tragic but essentially to be regarded as local law and order skirmishes rather than an organised war." So whose history do we believe? Do we believe the comments of MLCs in this Chamber today or the great Manning Clark? I am sticking with Manning Clark.

The Hon. AILEEN MacDONALD (15:43): I commend the motions moved by the Hon. Jeremy Buckingham and the Hon. Stephen Lawrence, which state that the bicentenary committee should consider recognising the Aboriginal people of New South Wales as part of the bicentenary celebrations of this House. I, too, welcome the people from the Wiradjuri nation in the gallery today. I thank them for coming. The committee should consider, in particular, the role the Legislative Council played in the administration and oversight of the British Empire's prosecution of the Wiradjuri war of resistance and the subsequent colonisation of the Wiradjuri. Given there was a declaration of war against the Wiradjuri 200 years ago, it is appropriate that the bicentenary committee recognise and remember Wiradjuri land as an integral part of the commemorations.

The history of the Wiradjuri nation in the Bathurst region should be recognised and respected. As we have heard today, on 14 August this year it will have been 200 years to the day since the colonial government's declaration of martial law west of the Blue Mountains. It is the perfect opportunity to acknowledge the First Peoples of this country and their continued connection to the land, mountains, waters and seas. The previous Government supported the idea of an Aboriginal war memorial museum. We should now work with Aboriginal people across New South Wales, including traditional owners, to progress the proposal. In many ways it is the perfect time to consult with Wiradjuri Elders, knowledge-holders from the Wiradjuri Traditional Owners Central West Aboriginal Corporation and the Bathurst Regional Council to establish a significant cultural and history facility in Bathurst.

This is not about rehashing a dark history. Nor is it about rewriting history or cleansing the past. It is quite the opposite. It is about using the bicentenary as an opportunity to acknowledge a significant event in the history of this State and honouring those from both sides who lost their lives. The foundation of the Parliament of New South Wales on 25 August 1824 was preceded by the declaration of martial law at Bathurst on 14 August that year. The Bathurst War of 1824 was one of the most brutal massacres in Australian history. It was caused by a dispute over land rights on the Bathurst plains, with the European settlers wanting to expand their territory at the expense of the local Indigenous people. We will never know how many Indigenous Australians of the Wiradjuri nation were killed or wounded. The violence was so severe that the area around Bathurst was declared off limits to Indigenous people for almost 30 years. We cannot help what happened in the past, nor can we change it. But we can acknowledge it and the bicentenary of this place is the proper and appropriate time to do that.

The Hon. CAMERON MURPHY (15:47): I offer my strong support for these motions. I acknowledge our Wiradjuri guests in the gallery today and pay my respects to their Elders past, present and emerging. It is crucial that we acknowledge our nation's and our State's colonial history in all things that we do. That is even more pressing when it comes to the history of this place. One of the very first acts of the Legislative Council in 1824 was to charge Colonel William Stewart with the establishment of the mounted police, which played a key role in the violent oppression of Aboriginal people resisting colonial expansion in New South Wales, particularly in the then ongoing Bathurst War—what should now be called the First Wiradjuri War of Resistance.

We should never forget that when we come to this place. The horrors of colonisation are not merely a coincidence or a by-product of our current system of government; they are the very reason we are in this Chamber today. The existence of this House is inextricably linked with the systematic oppression and killing of Aboriginal people in our past. It is for that reason that I am disappointed by the current program of the bicentennial celebration

conducted by this Parliament, as well as those of other parliaments. Of course, it is appropriate to acknowledge the work of those who built our modern democracy, but we must be very careful not to glorify or sanitise the process of colonisation.

There has been little acknowledgement in these celebrations of the devastating effects colonisation had on the First Nations people of Sydney and New South Wales. I am sure it is not by design, but there has been a tendency in these celebrations to idealise some aspects of the colonial project while glossing over or even outright ignoring things such as this Chamber's role in the First Wiradjuri War of Resistance. For example, the slogan of the bicentennial celebration is "200 years of democracy". This outright erases the more than 60,000 years of history of collective decision-making that came before it.

Professor Frank Bongiorno from the Australian National University argues that the establishment of the Legislative Council "was intended to provide some legislative cover for the Governor's actions in the face of criticism. It was not intended to build a pillar for democracy." He argues for the recognition of democratic decision-making practices that existed well before the establishment of this Chamber in 1824 or even the arrival of the First Fleet in 1788. We have a long and proud history to speak of and celebrate when we consider democracy in Australia, one that predates the formation of this Chamber and deserves to be told and recognised alongside its relatively short history.

In another example, the Supreme Court of New South Wales, which is also celebrating its bicentenary this year, has been invited to produce a book, a permanent exhibition and a lecture series as part of its celebrations. Showcasing the role of the courts and legal system in Sydney's early colony is all well and good. The materials highlighted, however, ignore the long-term—and ongoing—role that the court and the justice system have played in the oppression, dispossession and institutionalisation of First Nations people in New South Wales.

Just a couple of hours ago, right next door in the Jubilee Room, I and many other members in this Chamber attended the launch of the *Alternatives to Incarceration in New South Wales* report by the Justice Reform Initiative. First Nations people spoke about the harm the justice system has done to them and their communities and the ways government and community can work together to begin to change this, yet we are putting on a bicentennial celebration that glorifies the court and that very system. In my view, it is simply wrong to acknowledge the contributions of convict settlers—many of whom, such as my relatives from Ireland, were subject to transportation for simply seeking to assert their rights to self-determination—without also acknowledging the extreme denial of rights and violence Aboriginal people were subjected to in the same period.

To pretend that inhumane decisions were not made as part of the establishment of this place is to deny reality and portray a false view of history. In my view, the bicentennial celebrations thus far have been shamefully one sided and do not represent the full truth of our past. While good work has been done to recognise one part of our history, we must also find ways to acknowledge our history from all perspectives, learn from our mistakes and invite First Nations people to meaningfully participate as a springboard to reform for the next 200 years. We cannot do this until we own the uncomfortable truth about the history of our State and of this place. For those reasons, I commend the motions to the Chamber.

Ms SUE HIGGINSON (15:53): On behalf of The Greens, I indicate that we support the motions. We support the Wiradjuri project of the cultural centre museum—if that is what the Wiradjuri people want. I too acknowledge the wonderful guests in the Chamber today, the Wiradjuri people, and pay my respects to all Elders past, present and emerging. Earlier this morning I was fortunate to meet the women in a place where we women do business. I had a brief chat with them about the things I would like to contribute to this debate. We have been told a history of truth regarding genocidal policies, martial law and gross exploitation. However, today we see the strength, resistance and survival of these people, which is something that we celebrate.

I acknowledge the continuing truth. There are still gross policies, there is still abuse and, on many levels, there is still a war on First Nations people in this State. The truth needs to be told now. We see it with proactive policing, where First Nations people are targeted and grossly over-represented. It is causing pain, trauma and death. We are still seeing the forced removal of children. In this place we have celebrated the apology to the Stolen Generation, yet we continue those policies. They are the policies we make in this place and uphold every day. As we celebrate a bicentenary and we tell truth—as we look to the past and say, "We can't do anything about the past but we can do something about the future"—we need to be honest about what it is we are continuing right here and right now. We do not have allocated positions in this Parliament for First Nations people. The Wiradjuri people are sitting in the President's gallery while I am standing on the floor of the Chamber. There should be Wiradjuri people where I stand right now, telling their truth to these motions.

We are literally persecuting First Nations people for practising cultural fishing on the South Coast. People are going to jail because they want to fish for themselves and their families as they have done for tens of thousands of years. Last week a court case was launched to sue the Government for the persecution of First Nations people

for wanting to eat food. Members have to be really honest about this. Recently the Gomeroi took Santos and the Government to court because they do not want their land in the Pilliga smashed anymore. This Government is committed to a treaty. As the Hon. Stephen Lawrence has said, part of that treaty is a truth-telling process that will go hand in hand. Along with many allies, I celebrate that and hope it will commence the real work in this State to turn things around for First Nations justice. There is no justice in this State until we are firmly on the path of First Nations justice.

We are literally destroying Aboriginal cultural heritage on a daily basis. I do not think I can point to one permit that has been refused by this Government, or those that came before it, as it would destroy cultural heritage in this State. I do not think can I find one. I can find hundreds and hundreds granted every year that permit the holder to continue to wantonly destroy the cultural heritage of First Nations people. We need to turn this around. I commend the members who moved these motions, but more so I commend the Wiradjuri people who have come today. They are working hard at every level in the community to get this project off the ground for truth-telling of the history of the war, the frontier, the fight and the genocidal experience they have survived.

But we have to do better because the Wiradjuri are doing brilliantly right now on every level of speaking truth to power. That is not just happening in this Chamber today; it is happening in their homes, on their streets, in their communities and where we are continuing to experience the brutal weight that this colony continues to impose on First Nations people. That is just the way it is right now. Every bit of data, statistic and policy that we have has a disproportionately unjust impact on First Nations people. We can and will celebrate the bicentenary, and I am pleased that these motions have brought some truth. Those of us who are committed to truth will continue to do everything we can. Clearly, there are people in this Parliament who are not committed to telling truth, and that is an insult to this place, but we will champion that truth along with Wiradjuri people and First Nations people all across this State. I commend and thank them. I really hope the motions go some way towards assisting them in their pursuit of this part of the project.

The Hon. JEREMY BUCKINGHAM (16:00): In reply: I thank all members for their contributions. Another famous Bathurst resident Prime Minister Ben Chifley once famously said, "If an idea is worth fighting for, no matter the penalty, fight for the right, and truth and justice will prevail." Let us act to ensure that maxim prevails and that, despite the loss of the Voice referendum, the movement for closing the gap, treaty, justice, reconciliation and some of the things Ms Sue Higginson mentioned persist and are successful for our First Nations people.

It is possible we have had the Voice, Treaty, Truth process backwards. I believe with a greater emphasis on the truth-telling as urged in the Uluru Statement from the Heart, we would more readily accept and support the need for treaty and voice. An integral way to advance that notion is to build a permanent Wiradjuri cultural truth-telling and learning facility and Frontier Wars memorial in Bathurst so that Wiradjuri culture, language and our incredible and confronting history—some of which I have inadequately shared today—can be shared, built upon and kept in perpetuity. That idea is supported by the Bathurst Regional Council and in the review of the Heritage Act by the Standing Committee on Social Issues.

Another way forward is to continue to use the courage of this remarkable House and its bicentenary to recognise the interconnectedness of our history and for the House of Macarthur, Blaxland and Suttor to consult with the Wiradjuri traditional owners and ensure our interconnected story is part of our commemorations. In more recent times this House has done good work on reconciliation. In 1999 the Hon. Meredith Burgmann succeeded in securing the Reconciliation Wall, a beautiful installation in the Fountain Court. The 2013 inquiry into Bowraville contributed to the healing in that community. And in 2017 the Legislative Council accepted a message stick from Aboriginal Elders during the Hon. Sarah Mitchell's introduction of the Aboriginal Languages Act.

I again acknowledge those who have insisted on making today happen, including the Wiradjuri traditional owners who join us today, my colleague the Hon. Stephen Lawrence, Stephen Gapps, David Marr, Paul Daley, Mayor of Bathurst Jess Jennings, Mr President, the Clerk and the Usher of the Black Rod, our Aboriginal liaison officer John Braddick, the Hon. Leslie Williams, and Ministers Harris and Sharpe. I now read some of Windradyne's eulogy written by George Suttor under the pseudonym "Colo" for the Sydney papers at the time of the great warrior's death in 1829. It states:

> Sir,
>
> This a short biographical sketch of the native Bathurst chief Windrodine. On Saturday, 21st of the present March, this chief paid the debt of nature; he fell in a sharp fight sub noctera on the banks of the Macquarie, with a tribe from the South. Several lives were lost, and two chiefs were laid por de combat, on the field of battle. He was buried, his body wrapped in his mantle, and his weapons deposited in that grave which now contains all that remains of Windrodine, once the terror of the surrounding woods, his wide domain assigned to him by the sovereign hand of nature.

> He was a man who never suffered an injury with impunity, in his estimation revenge was virtue, his head, his countenance, indeed his whole person, which was admirable. I have often observed, with pleasure, his kindness to the women and children of his tribe, particularly to those that were sick; Windrodine professed the healing art, and a knowledge of potent spells among his sable countrymen. Five hundred acres of land was at one time offered for his head, but he surrendered, and was introduced to Sir Thomas Brisbane, at Parramatta, where he excited a great deal of curiosity: he resided a short time in the domain there, and the kindness shown to him then seemed to have operated on his mind in favour of the colonists, for ever since he has avoided any act of violence to them, though it may be supposed his high and independent spirit felt uneasy at times at seeing his country possessed by the white fellows, as the aborigines call us. It is to be lamented that the imprudence, and too often cruelty of the Europeans, has heretofore given too much cause of revenge among the native tribes, when we consider the materials, the British nation has sent among them.

That fitting obituary concludes with the Roman maxim on equality "Homo sum, humani nihil a me alienum puto." It means "I am human, and I think nothing human is alien to me." I conclude by stating the five principles of Wiradjuri lore, Yindyamarra, the Wiradjuri way: give respect, to do slowly, be polite, be gentle, and always have honour. Those are values the Legislative Council and all of us would do well to live by.

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

Motions agreed to.

Bills

BAIL AND CRIMES AMENDMENT BILL 2024

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. Daniel Mookhey.

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 a later hour of the sitting.

Motion agreed to.

Visitors

VISITORS

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I welcome to the public gallery students and staff from Stewart House, who are participating in a program conducted by the Parliamentary Education and Engagement team. They are most welcome this afternoon.

Motions

GOODS AND SERVICES TAX

The Hon. MARK LATHAM (16:07): I move:

(1) That this House condemns the 2018 political deal by which the GST distribution between States was corrupted by the creation of an artificial per capita floor massively favouring Western Australia and harming New South Wales, with the floor increasing over time and adding to this inequality.

(2) That this House calls on all parties in the Federal Parliament and New South Wales Parliament to support the abolition of the per capita floor and the establishment of a fair system of horizontal fiscal equalisation.

This is an opportunity for the House to unite around important principles that are raging in the public debate about the fair distribution of GST funding for New South Wales. The motion calls not only for that but also for a fair system of horizontal fiscal equalisation. My friend the Hon. Jeremy Buckingham calls that civilising global capital. That is not right. When the smoke haze clears, horizontal fiscal equalisation is a very different concept. It is the equal capacity across the Commonwealth for service delivery. That is, Federal grants are used to even out States' capacity to raise their own revenue and have an equal opportunity for State government service delivery across Australia.

That has been completely distorted, and New South Wales is the great victim of it because of the dirty deal that Scott Morrison put in place in 2018. The GST money is obviously a fixed pool. If one State is a huge

beneficiary, other States lose. And Morrison, solely for electoral reasons, put in place an arrangement whereby instead of Western Australia getting their fair amount under horizontal fiscal equalisation, which would be about a 20 per cent return on the GST revenue raised in that State, it got a per capita floor at 70 per cent, rising to 75 per cent on 1 July and ultimately going to 90 per cent. That is costing New South Wales billions.

I know the Government has raised other anomalies about how the Commonwealth Grants Commission has classified Kiama as a major city, left out Picton and done other things that look absurd when the true nature of New South Wales is understood. That is all valid as well. But in terms of the dollars lost to our State, the great villain is the Morrison 2018 deal that totally distorts horizontal fiscal equalisation. It can be said that the Commonwealth is trying to implement a policy of "no worse off" by topping up the losing States like New South Wales with further grants. They are now exceeding $5 billion. This system is completely unsustainable. The Morrison deal cannot be sustained forever. It is getting worse year by year, damaging New South Wales even more and benefiting Western Australia way out of proportion.

We cannot keep on topping up over $5 billion out of Canberra under the no worse off arrangements. It has to end. Enough is enough. The Parliament should unite and call on all parties in Canberra to do the same—say that the Morrison arrangement should end and that we return to a fair system of horizontal fiscal equalisation. New South Wales is not asking for a special deal or special treatment. Our State is merely asking for a return on the GST revenue that is raised within the borders of New South Wales and that represents our other attributes, such as resource wealth and levies and taxes, that would give us equal capacity with other States across the Commonwealth to provide services for the people of New South Wales. We are not asking for a special deal; we are purely asking for a fair deal that logic would dictate, noting the unsustainable nature of the Morrison armaments.

I was very pleased to hear the Treasurer say that he has gone to a meeting of other Treasurers—notwithstanding the silly comments of Tim Pallas in Victoria—to argue for an approach to end the 2018 Morrison arrangements, but we have not yet heard from the Liberal Party. Will the Liberal Party and the National Party in this place repudiate the Morrison deal? They have not done that yet, so I look forward to the contribution of the shadow Treasurer. This is an opportunity for the House to unite and say that the system has been corrupted by the creation of an artificial per capita floor, massively favouring resource-rich Western Australia, with all its mining royalties. It does not need the special Morrison deal for equity.

I call on all the parties in the New South Wales and Federal parliaments to support the abolition of the per capita floor and go back to one of the founding principles of our Commonwealth after Federation: the idea that no part of Australia would be disadvantaged with money coming out of Canberra for service delivery. It is a basic proposition that every party should commit to. The motion should be supported across the board, and I look forward to that happening.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (16:12): I indicate that the Government will support this excellent motion brought by the Hon. Mark Latham in relation to standing up for New South Wales, which has certainly been a question of great debate in this House and in the community. Since the announcement of the Commonwealth Grants Commission report last Tuesday, the Government has been really clear that $1.65 billion will be cut out of the New South Wales budget next year as a result of—as the Hon. Mark Latham alluded to in his contribution—unbelievable decisions by the Commonwealth Grants Commission, including to name Kiama as a major city or to reclassify Coffs Harbour from "outer regional" to "inner regional".

The series of somewhat obscure arrangements that have been highlighted in the press over the past week show that this significant announcement about the GST funding pool has serious implications for the people of New South Wales. The Government thinks that there is a fairer way forward, which the Treasurer outlined at the Council on Federal Financial Relations on Friday, including providing updates to cover four-year budget forward estimates rather than the single-year approach that is currently employed, which would allow more transparency; issuing a draft determination aligned with the States and Territories half-year review cycles, which would allow them to properly prepare budgets; and sharing data on service delivery costs provided by the States and Territories, which are used for the determinations to improve transparency and accountability. The Treasurer raised this in that forum and spoke about it directly with the Federal Treasurer, because these are difficult conversations that have significant consequences for the people of New South Wales.

From the outset the Treasurer and I have made it clear that the decision by the Commonwealth Grants Commission does not change the Government's overarching budget strategy, which is to rebuild the essential public services that New South Wales relies on; provide immediate cost-of-living relief to families, households and businesses in New South Wales; and reduce the debt burden on the people of this State. The Government will work through this. As the Treasurer has said, we are not making kneejerk reactions, but it is clear that there needs

to be a better approach. As outlined in the motion—and this is why the Government will support it—a more constructive approach is to more fairly distribute GST by making it more closely related to population.

The Hon. DAMIEN TUDEHOPE (16:15): I am happy to say to the Hon. Mark Latham that the Opposition supports the motion. There is no justification for the more favourable treatment of one State and it should be removed. Extrapolating forward to 2024-25, Western Australia will receive $6.2 billion more from the GST pool than it would if the 75 per cent floor were not applied to Western Australia. Without this floor, New South Wales would, even under the current formula, receive $1.68 billion more than it currently stands to, so it makes eminent sense that this floor is gotten rid of. One thing that struck me about what the Minister for Finance said is that none of the propositions that the Treasurer took to Canberra included getting rid of this floor. A series of proposals were made in relation to reporting by the Commonwealth Grants Commission, but there was nothing to get rid of the Morrison decision relating to the way the commission operates. It strikes me as extraordinary in the circumstances that this would not be fundamental to the position the Treasurer adopts.

A broader shift to a fairer system of horizontal fiscal equalisation requires collaboration between the States if we are to successfully persuade the Commonwealth to consider reform. Under the previous Government there was excellent cooperation between New South Wales and Victorian Treasurers because of shared interests in how Federal financial relationships should be formed. That seems to have deteriorated with the Victorian Treasurer's unbecoming behaviour in trying to engage the New South Wales Premier in a slanging match. However, the Treasurer is well known for doing extra maths classes, so he should not have been blindsided by the GST determination. The two largest increases were linked to this State's increased ability to raise revenue from mining royalties and taxes on land. The commission applied its usual approach, which should have been known to Treasury and to the Treasurer. The results should not have surprised them. The third largest component in the determination was the use of 2021 census data on urban characteristics—the first update of this factor in five years. This accounted for a $222 million loss of GST revenue.

The Minister for Finance referred to the Kiama-Coffs Harbour decision, which the commission openly canvassed in its September 2023 discussion paper and to which New South Wales made a submission specifically addressing the issue. Again, there is no excuse for the Treasurer being taken by surprise. The hit to Labor's now vanishing 2024-25 surplus would have been $1.833 billion worse if not for the success of the previous Treasurer, Dominic Perrottet, the member for Epping, achieving the "no worse off" guarantee with no trade-off. That does not apply to this Treasurer, who in fact gave away the "no worse off" guarantee, subject to other conditions that would apply to it.

The Hon. JOHN RUDDICK (16:19): I support the motion moved by the Hon. Mark Latham, but I use this opportunity to make the case for returning taxation powers back to the States. The colonies of Australia fiercely debated the merits or otherwise of Federation in the 1890s. There was a consensus across the colonies that they had matured sufficiently to be independent of the mother country. However, there was not a consensus on what the post-independence arrangement should be. One option was continental unity, with a big, centralised government. The other option was that the colonies should become their own nations. One of the colonies chose that path: New Zealand. I do not think it regrets that decision. Victoria was hell-bent on a centralised government, but it was in New South Wales that there was the most resistance to erecting an unnecessary Federal government.

The Legislative Council of New South Wales was the vanguard of the resistance. New South Wales initially voted no to Federation in 1898. After some concessions a year later, New South Wales did vote in favour of Federation, but the City of Sydney voted no twice in a row. New South Wales was the free trade State. It was pro-free enterprise and for low tax and regulation; Victoria was the opposite. New South Wales would have voted no on that second occasion if the Victorian-minded Riverina had been part of Victoria.

What were the 1890s Federation sceptics concerned about? They foresaw precisely what has happened. The central government has slowly but steadily accumulated more power and more and more taxation powers. They also foresaw that the States that were thrifty, prosperous and productive would end up being weighed down by the slothful and wasteful States, depriving those States of an incentive. I support the honourable member's motion, but this is just one example of how the Federation has not worked.

When we originally Federated, the Commonwealth probably took about 1 per cent to 2 per cent of the GDP. Then a little thing called World War I came along, and we were told that the Federal Government would temporarily take over income tax powers. Of course, the crisis passed but the taxation powers remained. It is more complicated than this but during World War II basically the same thing happened with company tax. So the Federal Government gets bigger and there is more distortion. It punishes good States, like New South Wales, and it encourages the slothful States to remain slothful.

The Hon. MARK LATHAM (16:21): In reply: I thank each of the contributors to the debate: the Hon. Damien Tudehope, the Hon. Courtney Houssos and the Hon. John Ruddick. It has been an afternoon for

history lessons—some accurate; some not so much. I appreciate the contribution of the Hon. John Ruddick, who pointed out the balance of taxation powers between Canberra and the States. But let us also remember the breakthrough of the GST. The GST was a return of indirect taxation revenue to the States. It was a big move from the Howard-Costello Government at the turn of the century, such that the States would get back every single cent of GST on the basis of the money they needed to equalise service delivery across the Commonwealth. The States have had access to GST, which is the second biggest revenue pool that is raised out of Canberra. Every single cent goes back to the States. You cannot lift the rate of GST unless every single State agrees.

I do not think we need the States to have both the indirect tax revenue of GST coming to them plus their own income tax powers. The Hon. John Ruddick was leading the debate on this and I would have thought that the COVID experience showed that the more you upgrade the States and downgrade the powers of the Commonwealth, then you can run into all sorts of problems and anomalies. While we are State MPs, we need to keep the Federation and its principles balanced. I think Canberra raising income tax and returning indirect tax, GST revenue, in its entirety to the State is the right balance.

But in terms of the distribution of that GST money, Costello had it right. Costello did not have some per capita floor under it that favoured Western Australia purely for electoral reasons. He said the money would be distributed on the principles of horizontal fiscal equalisation: fair distribution, according to the principles of our Federation and Commonwealth that has held us together over many decades. So why was that ever perverted? There is no love in the NSW Liberals, particularly in the great Perrottet faction, for Scott Morrison. I can tell members that; I know that for a fact.

I think we saw much more the measure of the man in that ABC series. He was such a cleanskin. He was never involved in any of those leadership things in Canberra, "I only found out at the last minute and was never involved in any of it." All of that was nonsense. So too was the deal he had in 2018 to pervert the Costello arrangements and to leave us in a situation where a State like New South Wales is punished for no other reason than we are New South Wales and we do not have the mineral resources of Western Australia. That is the only reason we are being punished—that and the electoral opportunism of the wretched Scott Morrison, who thankfully has now left the seat of Cook.

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

Motion agreed to.

TOGETHER HOME PROGRAM

The Hon. NATASHA MACLAREN-JONES (16:26): I move:

(1) That this House notes that:

(a) the Together Home program was initiated in July 2020 by the former New South Wales Liberal-Nationals Government to provide leasing and support packages for people who were sleeping on streets into stable long-term accommodation linked with wraparound support;

(b) in 2021 the former New South Wales Liberal-Nationals Government expanded the program to include an Aboriginal-led Together Home model in the Central Coast that would deliver 35 leasing and wraparound support packages over two years across the region;

(c) the high-needs packages are tailored to the needs of complex clients that could not be met in other ways; and

(d) by January 2023 the Together Home program had successfully delivered 1,117 packages, including 105 high-needs packages, and housed 1,092 clients.

(2) That this House further notes that:

(a) Homelessness NSW, the leading agency for homelessness in the State, has urged the Government to allocate an additional $62 million over three years to the Together Home program;

(b) the Australian Housing and Urban Research Institute and its partners at the Social Policy Research Centre, University of New South Wales, conducted an independent evaluation of the program; and

(c) an interim report was released in February 2024, which highlighted the success of the program and the imperative of developing a sustained plan to maintain the Together Home program.

(3) That this House urges the Government to provide assurance to the homelessness sector and to community housing providers regarding the future funding of the Together Home program in the upcoming budget and to ensure its continuity without interruption.

Homelessness is not just a housing problem. The causes of homelessness are complex and play out in different ways. To address homelessness, housing must be provided along with wraparound support services and assistance to ensure long-term housing is maintained. The NSW Liberals and Nationals understand this fundamental principle and when we were in government we prioritised the Housing First principle under our homelessness strategy. This approach emphasises the immediate placement of individuals into permanent and stable housing as

the essential first step. Evidence demonstrates the effectiveness of the Housing First approach in combating homelessness. However, it is essential to not only prioritise housing but also to identify and provide access to the necessary support services for individuals once they are housed. By ensuring continued assistance, we can empower individuals to maintain their housing stability and also address the root causes of homelessness.

The Together Home program was established in 2020 by the former NSW Liberal-Nationals Government as a COVID initiative and built on the successful STEP program. By January 2023 the Together Home program had made tangible progress, delivering 1,117 packages, including 105 specialised high-needs packages, effectively providing stable housing to 1,092 clients. It has been identified that of the clients around one-third, or 32 per cent, were women, one-third identified as Aboriginal and 41 per cent had a disability. Most of the clients were in the age range of 25 to 44 years, with 45 years and over representing around 47 per cent.

An independent evaluation conducted by the Australian Housing and Urban Research Institute, in collaboration with the Social Policy Research Centre at the University of New South Wales, has highlighted the significance of the Together Home program in addressing critical gaps within the homelessness service sector. Released in February this year, the interim report not only highlighted the program's innovative nature but also stressed the necessity for devising a sustained plan to uphold its achievements. The report found:

> The THP is an innovative program that fills a gap in the provision of homelessness services … and is based on sound principles.

Furthermore, the evaluation found that around 74 per cent of clients sustained their tenancies. The report also noted the challenge of the competitive rental market and the constraints of that market in housing people who have been homeless. The Together Home program is person focused and flexible. A survey of clients who participated in the program showed that intensive case management and the trusting relationships they developed contributed to positive outcomes for them.

I highlight a couple program participants whom I met with, including one of the first participants in 2020 whom I spoke with a couple of years later. He had been sleeping rough on and off for about 30 to 40 years. His last instance of sleeping rough landed him in hospital, after he was stabbed multiple times. He then realised that he had to address the life that he was living and tackle a number of other challenges affecting him. After moving in and out of unsuccessful temporary accommodation, the Together Home program gave him the home that he needed as well as wraparound support and a caseworker. When things got rough and he needed additional support, the caseworker was there to help. More recently, I met another lady who had been through the program and then had her son come to live with her. Her son had a full-time job and they were both working alongside a caseworker to move out of social housing and into the independent rental market.

The Together Home program has been successful. Key stakeholders are calling for it to continue and to receive additional funding. Homelessness NSW, a leading advocate for addressing homelessness, has called upon the Minns Labor Government to allocate an additional $62 million over the next three years to sustain and grow the program. It is vitally important that the Government continues funding the program in this budget to provide certainty. A number of providers and employers are concerned that it will end on 30 June, which will mean that their employment ends and will create uncertainty for individuals currently sleeping rough. Where will they go if the program does not exist? I commend the motion to the House.

The Hon. ANTHONY D'ADAM (16:31): I thank the Hon. Natasha Maclaren-Jones for moving the motion. The Government and the Opposition agree that we must tackle homelessness. Accordingly, I move:

> That the question be amended by omitting paragraph (3) and inserting instead:
>
> (3) That this House calls on the Government to commit funding for its new homelessness strategy, including funding for a suite of programs like Together Home in order to reduce homelessness in New South Wales.

New South Wales Government members have been clear that tackling the housing and homelessness crisis is a key priority for us, and we look forward to addressing it in the upcoming budget. We have inherited a housing system that is broken after more than a decade of neglect, and we will continue to work towards our aim of ensuring that experiences of homelessness are rare, brief and not repeated. It is deeply disappointing that the current funding was due to expire. Like so many programs, the previous Government did not adequately fund it into the future. We are now working through that. Our announcements will build on our current commitments, but we know there is much more to do to ensure that we support some of our most vulnerable and get people off the housing waitlist and into homes.

We will continue to work alongside a number of community housing providers to deliver the program, which includes support to help participants stay in their homes. New South Wales is experiencing a homelessness and housing crisis. We know we need to make changes to strengthen support for our most vulnerable. The Together Home program was introduced during COVID-19 to safely move rough sleepers into a home to keep them safe during the pandemic. Together Home was not funded into the future by the previous Government; it

faced a funding cliff that would have seen those important support programs cease. We extended funding for Together Home in our first budget because we recognised the value of the program.

We are considering a broad suite of initiatives in the homelessness strategy as part of the upcoming budget process. The strategy will outline a whole-of-system transformation that will make New South Wales a place where homelessness is rare, brief and not repeated. This program is just one part of our plan to confront the housing and homelessness crisis. The Government remains committed to expediting the delivery of more homes and strengthening homelessness services.

The Hon. RACHEL MERTON (16:34): I support the motion moved by my good friend the Hon. Natasha Maclaren-Jones. I echo the sentiments of the honourable member and affirm our collective commitment to addressing the pressing crisis that is homelessness. I recognise the experience, passion and commitment that my colleague brings as shadow Minister for Families and Communities. She is not in the Chamber, but I also recognise the Minister for Housing, and Minister for Homelessness, for the enthusiasm and empathy that she has shown in those portfolios as a new Minister.

At the core of the debate is the Together Home program, a hallmark of the former Liberal Government. It was an initiative that has not only shown us the path to change but also illuminated the lives of many who once lived in the shadows of society. We understand homelessness is not merely an absence of physical shelter. It is a complex issue intertwined with various socio-economic factors that requires a holistic approach to resolve. The New South Wales Liberals and The Nationals, recognising the multifaceted nature of homelessness, championed the Housing First approach. That principle, rooted in compassion and practicality, acknowledges that stable housing is the foundation upon which we can build a range of support services. The evidence in favour of the Housing First approach is compelling. It underscores the value of providing permanent housing as a preliminary step to addressing the broader spectrum of needs of many people experiencing homelessness.

Securing a roof over one's head is just the beginning. Ensuring access to necessary support services is paramount. I have witnessed the transformation firsthand when secure and stable housing is provided to vulnerable individuals. I also pay tribute to the many amazing and dedicated caseworkers and volunteers who provide critical support services to many of those individuals. The Salvation Army Australia, the St Vincent de Paul Society and Wesley Mission UnitingCare are a few organisations that come to mind.

It is heartening to see key stakeholders, including Homelessness NSW, advocating for the expansion of the program. Their plea for additional funding resonates with the urgent need to fortify our commitment to addressing and eradicating homelessness. The failure of the Minister for Homelessness to secure funding beyond the imminent deadline is not just disappointing; it is a disservice to the momentum we have built and the lives we are committed to transforming. I urge the Minister to reaffirm our State's pledge to combat homelessness. The Government must ensure the continuation and expansion of the Together Home program.

Ms CATE FAEHRMANN (16:37): The Greens support the motion and support the amendment moved by the Government, noting that it certainly could be more ambitious than to simply call on the Government to commit funding to its new homelessness strategy. It is pretty extraordinary that members have to amend a motion to do something that should have been a given. We should not need to debate it. However, it is important that a motion on homelessness receives broad consensus in this place and that all sides work together.

Homelessness is on the rise in most parts of New South Wales. A recent report by the Australian Institute of Health and Welfare found that the inner west of Sydney had the highest increase of people seeking help from homelessness services. There were 1,496 people receiving help in 2022-23, compared with 1,251 people the year before. That is quite extraordinary. The inner west is followed closely by Canterbury-Bankstown, Penrith, Sydney and then Wollongong. The average wait time for people who are homeless to access housing and services is up to five years. Another extraordinary thing—and it is not a statistic, because every statistic is a person who is in extreme need, and no doubt trauma, at not having a roof over their head or safe and secure housing—is that one out of every two people in New South Wales seeking help because of homelessness does not receive it. They have to be turned away because the services are full. One-third of those people who are turned away are First Nations people.

For many decades, members in this Chamber and in the other place—in fact every Parliament in the country, including the Federal Parliament—would have debated homelessness issues. The House calls on the Government to commit funding to its new homelessness strategy. We urgently need an increase in the availability of public housing and temporary accommodation. Together Home was a very good program and the people who it helped have spoken about how much it changed their lives. I certainly hope that the Government's homelessness strategy will include and support good programs like that because they make a difference on the ground. We support the motion and look forward to more action and more funding.

The Hon. BOB NANVA (16:40): I thank the Hon. Natasha Maclaren-Jones for moving this motion. The sentiment behind it no doubt is sincere—it is an important issue—but I need to reiterate what the Parliamentary Secretary said. The Together Home program, which was introduced during COVID-19, was a worthy program designed to move rough sleepers into a home to keep them safe during the pandemic. But unlike a number of other programs, it was not funded for the future by the previous Government, notwithstanding its merits. It faced a funding cliff that would have seen important support programs cease. Even though the Government extended the funding for the Together Home program in the first budget because it recognised the value of that program, a broad suite of other initiatives in its homelessness strategy are being pursued as part of the upcoming budget process. Notwithstanding the sincerity in the sentiments expressed in this motion, those facts cannot be forgotten or neglected in this debate.

The Government and the Minister have been very clear that tackling the housing and homelessness crisis is a key priority. We all know that more needs to be done. We know that it is a critical issue because New South Wales is experiencing a homelessness and housing crisis. The data on homelessness is heartbreaking. It paints a very sober picture of the impact of the housing crisis on homelessness more broadly. The reality is that homelessness is not the fault of those who are caught in the web. It has been a fundamental failure of policy over many years and one that the Government is working hard to address.

The face of homelessness has changed and is changing. We now have people with safe and secure jobs but not safe and secure housing. That situation is not okay. It is not one that we should tolerate; it is one that we should work hard to change. People with jobs, people with long rental histories and people with no previous history of homelessness are unable to get access to housing. That is a clear sign that policy frameworks that have existed in this State for far too long have failed. It is a harsh reality that thousands of people in New South Wales are facing. I am glad there is bipartisan support to try to tackle homelessness, but that is not through this program alone.

The Hon. MARK BUTTIGIEG (16:44): Homelessness is one of the most pressing issues for the Government. It is an important issue to which the Minister and the Government are extremely committed. It is a shame that the previous program was not funded for future years, but the reality is that we are now in government, and we need to work hard to try to solve the problem. We know that more needs to be done. We are committed to making New South Wales a place where everyone has access to safe and secure housing and where experiences of homelessness are rare, brief and not repeated. We know that we need to make changes to strengthen support for our most vulnerable people. Homelessness outreach teams walk through the city on a regular basis and provide to the New South Wales Government and key stakeholders in-time data to track street homelessness and provide targeted responses to work to reduce it. We are also doing more to improve homelessness health support.

The data is heartbreaking and paints a clear picture of the impact of the housing crisis on homelessness. It is lamentable that in 2024, in a modern, advanced and relatively rich economy, we still have the scourge of homelessness. The face of homelessness is changing, with people having safe and secure jobs, but not safe and secure housing. We have the phenomenon of people in paid employment who are not able to afford housing. It is unacceptable. People who have long rental histories and no previous history of homelessness are unable to get access to housing. That is the harsh reality of what thousands of people across New South Wales are now experiencing.

The creation of Homes NSW is a vital part of the work that we are doing. It aims to put people at the heart of housing solutions and will drive that vision, delivering more and better social and affordable housing with our partners, cutting the waiting list and reducing homelessness. The problem will not be solved overnight. I have heard the Minister refer to that on several occasions. But there is no doubt that the commitment of the Minister and the Government will, given time, enable us to get our teeth into the problem.

The Hon. NATASHA MACLAREN-JONES (16:47): In reply: I acknowledge the contributions of the Parliamentary Secretary, the Hon. Rachel Merton, Ms Cate Faehrmann, the Government Whip and the Hon. Mark Buttigieg. I will respond to a couple of things, one relating to allocated funds. The previous Government invested over $172 million in the Together Home program. In additional budgets, including 2021, we extended the program to the Central Coast to be an Aboriginal-led initiative. Members opposite talked about how the program was not future funded when, in reality, the Labor Party won the election. It is now its responsibility to put forward, as a policy proposal and a priority, the continued funding of the program. It is its choice as to whether to provide funding for the Together Home program to assist people who are sleeping rough into long-term stable accommodation with wraparound support, or to fund another initiative.

The Opposition will not be opposing the amendment. I think it is important to pass the motion. What is of concern is that the amendment gives the sector no assurance or guarantee, which is fundamental to what the motion is about. There are providers out there. The City of Sydney has released its street count, and 280 people were counted on a particular evening. We are still waiting for the statewide count, but we know it will go up. The Minister acknowledged that specialist homelessness services across the State are at capacity. Those are the people

that this program assists, day in and day out, and come 30 June providers will be literally facing the end of the road. The Minister indicated that her strategy will be coming out in June but, in reality, providers are having to make decisions as to whether or not they continue to operate or close their doors. I commend the motion to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Natasha Maclaren-Jones has moved a motion, to which the Hon. Anthony D'Adam has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

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

Motion as amended agreed to.

GENDER EQUALITY

The Hon. ROBERT BORSAK (16:50): I move:

(1) That this House affirms its support for the need to address a critical issue that affects our society, the significant gaps in men's health, education, and higher rates of homelessness and incarceration in New South Wales.

(2) That this House acknowledges that it is imperative for the Government to recognise and work towards closing these gaps to achieve a more equitable and just society for all.

(3) That this House notes that:

(a) there are stark disparities between men's and women's health in New South Wales;

(b) New South Wales men have a higher prevalence of unhealthy lifestyle behaviours;

(c) New South Wales men have higher rates of chronic diseases than women;

(d) New South Wales men have a lower life expectancy than women; and

(e) the urgent need for mental health support for men is highlighted by the fact that death by suicide is over three times more common in men than in women.

(4) That this House notes that:

(a) educational gaps between girls and boys persist, particularly in our schools, where boys do not excel;

(b) report after report demonstrates that boys consistently underperform in our education system;

(c) the New South Wales "Tell Them From Me: Gender and Engagement" student survey data highlighted disparities in student engagement and wellbeing between boys and girls;

(d) girls tend to have higher aspirations, better behaviour, and are more likely to comply with school expectations; and

(e) boys are more disruptive, with lower aspirations, creating a significant social justice issue that is often overlooked.

(5) That this House further notes that:

(a) it is crucial for the Government to recognise that these gaps in health and education are interconnected and contribute to higher rates of homelessness among men; and

(b) males make up 56 per cent of people experiencing homelessness, further underscoring the need for government to provide a comprehensive and holistic approach to address these challenges.

(6) That this House notes that:

(a) more than nine out of 10 adults in custody in New South Wales are male;

(b) more than nine out of 10 young adults in custody are male;

(c) the massive failure of current Government policy is illustrated by the fact that the imprisonment rate for Aboriginal men and boys is nearly 10 times the non-Aboriginal imprisonment rate, and these rates are increasing;

(d) more than four out of 10 men in Australia have experienced physical violence;

(e) the 2021-22 Personal Safety, Australia survey showed that one in 14 men (7.3 per cent or 693,000) have experienced violence from an intimate partner since the age of 15;

(f) more than one in 20 men have experienced sexual violence in the past;

(g) both women and men are more likely to have experienced sexual harassment by a person of the opposite sex, and when last reported by the Australian Bureau of Statistics in 2016, more than one in 20 men experienced sexual harassment by a female perpetrator;

(h) nearly one in four men will experience sexual harassment in their lifetime; and

(i) sexual harassment is being weaponised, even in this place through the Broderick report and the Independent Complaints Officer where certain people, i.e. straight white men with two legs, are ineligible to be a victim of harassment.

(7) That this House calls on the Government to:

(a) recognise that:

(i) it is our collective responsibility to close the gaps in men's health, education, incarceration and homelessness; and

(ii) by fostering a society that values and prioritises the wellbeing and potential of all its members, regardless of gender, we can build a future where everyone has an equal opportunity to thrive.

(b) provide positive policy development and leadership in seeking equitable outcomes for men and boys in New South Wales;

(c) establish a Minister for Men and Boys; and

(d) establish a New South Wales Men's Advisory Council which will advise the Government on issues affecting men and boys across the State and promote equitable policy outcomes across the work of government.

This motion delves into the critical issues that strike at the heart of our societal values of equity, fairness and justice, centring on the challenges faced by men and boys in New South Wales today concerning health, education, homelessness and incarceration rates. There exist stark disparities between men's and women's health and wellbeing in our State. Men have numerous health challenges, from higher rates of chronic diseases to a lower life expectancy, compared with their female counterparts. The statistics paint a grim picture, and a brief snapshot of men's health and wellbeing is indeed an indictment of the current health system.

In 2023 men were expected to live 4.1 fewer years than women. In 2022 the rate of death from intentional self-harm among men was 3.1 times higher than among women, and diabetes or high blood glucose was more prevalent in adult men than in adult women. In 2021 Sydney had the second highest per capita drug and alcohol addiction rates in Australia, and males had over twice the rate of substance use disorder than women. The issue extends beyond physical health. Mental health, in particular, remains a pressing concern. Traditional masculine norms, ingrained in our society for generations, have stigmatised help-seeking behaviours among men. As a result, many suffer in silence, hesitant to reach out for support when they need it most. This stigma must be dismantled, and mental health services must be made more accessible and tailored to address men's needs.

Shifting focus to education reveals another troubling trend: Boys consistently lag behind in our educational system, particularly in literacy and academic achievement, perpetuating broader societal inequalities. This trend must be reversed through targeted interventions and a renewed commitment to gender-equitable education policies. The interconnected nature of these issues becomes glaringly apparent when considering their intersection with homelessness and incarceration rates. Alarmingly, more than nine out of 10 adults and young adults in custody in New South Wales are male. This disproportionality, especially among Aboriginal men and boys, underscores systemic failures in addressing the root causes of social disadvantage and inequality.

Government policy seems to assume men and boys do not matter. Failure to compete, failure to reward success and attainment, and failure to promote masculinity is what is behind these failures. We need to close the gaps in men's health, education, homelessness and incarceration. We must acknowledge that achieving true equality requires us to uplift and empower all members of our society, regardless of sex, but we must especially address the disparities that men and boys face today. This includes establishing a robust support system for men's mental and physical health, implementing evidence-based interventions to improve educational outcomes for boys, and investing in programs that prevent homelessness and reduce recidivism rates among men and boys in our justice system.

In pursuit of these goals, I have proposed the establishment of a Minister for Men and Boys within the New South Wales Government, tasked with overseeing policies and initiatives aimed at addressing the specific needs and challenges faced by men and boys in our State. Additionally, I call for the creation of a New South Wales men's advisory council, composed of men who are experts and stakeholders from many backgrounds, to advise the Government on matters related to men's health, education and social wellbeing. We must commit to closing the gaps and building a future where equality for boys and girls, men and women is not just a lofty ideal but a tangible reality for all. It is time to remove the discrimination against men and boys and give everyone a fair go.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (16:54): I lead for the Government in debate and thank the honourable member for moving this important motion. I move:

That the question be amended as follows:

(1) In paragraph (3) insert "Australian Bureau of Statistics' data shows" after "That this House notes that".

(2) Omit paragraphs (4) (a) to (4) (e) and insert instead:

(a) girls had higher mean scores than boys in literacy and writing for all year levels; and

(b) in year 9, 12 per cent of male students fell into the "needs additional support" category for grammar and punctuation.

(3) In paragraph (6):

(a) insert "Australian Bureau of Statistics' data shows" after "That this House notes that"; and

(b) omit paragraph (6) (i).

(4) Omit paragraphs (7) (c) and (7) (d) and insert instead:

(c) establish a New South Wales men's round table which will advise the Government on issues affecting men and boys.

The amendment will ensure that the Government is able to support the motion as amended. There are some devastating statistics in the motion moved by the Hon. Robert Borsak—in particular, the rates of suicide that men suffer from. I have previously spoken in this House about the results in our education system, in particular, what I highlighted in the amendment—that 12 per cent of male students fell into the "needs additional support" category. I have said frequently in this House that one in three year 9 boys do not meet the national minimum standards. Those are pretty stark outcomes when we have only three years of schooling left to improve the outcomes for those boys.

I acknowledge the honourable member's passion for this area. This is an important motion for the House to consider. The amendment will allow the Government to support the motion and for it to progress through the House. I give a shout-out to the Minister for Mental Health, who I know is doing a lot of important work in this area. In particular, she is holding a round table to specifically engage on these issues and find ways to develop strategies to reduce the over-representation of men's mental health and suicide. The important work continues, and hopefully it will continue if the House passes the amended motion this afternoon.

Dr AMANDA COHN (16:57): The Greens support the motion as amended by the Government. The motion raises a number of important issues. The first issue is mental health. I chaired the inquiry of Portfolio Committee No. 2 - Health into community and outpatient mental health services. We have heard extraordinary evidence about the crisis in mental health in New South Wales, particularly the extraordinary gap that exists, with funding for mental health—New South Wales spends the least per capita on mental health services, compared with every other State and Territory. That must be urgently addressed in this year's budget.

It is a real and important issue that men are less likely to seek support for their mental health than women, and this is part of the negative impact that patriarchy has on men. Men are victims of a culture that values stoicism over compassion, empathy and care for ourselves and others. Research funded by the Federal Government has shown that men experiencing depressive symptoms, who may have benefited from treatment but did not access mental health care, were more commonly employed men and those who conformed to more traditional masculine norms. While we are talking about this issue, I commend the excellent work of organisations, including Healthy Male, which was formerly Andrology Australia.

Secondly, the motion raises the important issue of incarceration rates, particularly incarceration rates for First Nations men. The Greens are advocating for a comprehensive truth-telling and treaty process that acknowledges the State's true history and its impact on First Nations people, aiming for self-determination, dedicated representation in the New South Wales Parliament and treaties that affirm First Nations sovereignty. The best way to prevent the disproportionate incarceration of First Nations youth is to raise the age of criminal responsibility to 14 to align with international standards to end over-policing and criminalising of regional youth. This will contribute to ending the State's shameful Aboriginal deaths in custody.

To address high rates of Aboriginal and Torres Strait Islander incarceration in New South Wales and the cycles of crime and violence that incarceration contributes to, we must boost evidence-based, community-led organisations and projects that are breaking the cycle of incarceration and recidivism, and deal with the horrors in our prisons to prevent torture and inhumane treatment. Finally, I call out the egregious politics that are being played with very real and serious matters. The original motion is not only littered with misrepresentation and inaccuracy but seeks to minimise women's experiences of sexual harassment and to discredit the important work being done to try to make Parliament a safer workplace. That kind of politics is a discredit to the mover, the Hon. Robert Borsak, and does nothing to support the men he is seeking to represent.

The Hon. NATASHA MACLAREN-JONES (16:59): Last November the NSW Ombudsman released a report into the deaths of children and young people in New South Wales. The report covered 950 deaths and found that suicide was the leading cause of death for children and young people between the ages of 10 and 17. More specifically, the report found that the rate of suicide amongst that age group was 1.6 times higher for males than for females. Most concerning was the fact that many young people who tragically took their lives had

previously interacted with mental health services and many had sought assistance from various other agencies beyond mental health support.

It is important to also note the connection between individuals seeking assistance from homelessness services and those accessing mental health services. Individuals experiencing mental health challenges are between three and 26 times more inclined to seek support from homelessness services within a year of engaging with a health service. Moreover, recent analysis by the peak body, Homelessness NSW, has also found that homelessness is rising. We have already covered that today in a previous debate. Statistics recorded by the Australian Bureau of Statistics in 2021 on the most recent census night found that more than 122,000 people were estimated to be experiencing homelessness in Australia, of which 56 per cent were male. Of those men and boys, 21 per cent were between the ages of 25 and 34, and 20 per cent were Aboriginal or Torres Strait Islander.

I also acknowledge that there has been an increase in the number of women, older women in particular, seeking homelessness support. That was a focus of this Chamber over a number of years. There was an inquiry, which led to reform. So it is important that we debate various topics, including the health challenges facing boys as well as men. The report I mentioned referred to boys between the ages of 10 and 17. I also acknowledge the work of Beyond Blue and its report that found one in eight men will experience depression and one in five will experience anxiety at some stage in their life. We know that depression is a high risk factor for suicide and contributes to the difference in suicide rates for men and women.

According to the Australian Bureau of Statistics, in 2022 there were 3,249 deaths due to suicide. Of those, 2,455 were male and only 794 were female. Furthermore, research has found a correlation between suicide and the impacts of drought, as well as higher rates of suicide among veterans. I briefly touch on some of the work that is being done to support our veterans. Both our State and Federal governments need to do more to support our veterans, particularly young men who have served or are currently serving. I give a shout-out to Soldier On. This month it is holding the March On challenge, which is an opportunity for people to do a virtual challenge of walking 96 kilometres, the same length as the Kokoda Track, to raise funds for and support men at risk of suicide.

The Hon. MARK BANASIAK (17:03): I support the motion moved by my colleague the Hon. Robert Borsak. As a former teacher and deputy principal, I want to focus on the education side of things. For far too long, and despite significant progress in narrowing gender gaps in other aspects of society, there has been a trend of disparity in educational attainment between boys and girls, and it is a systemic issue. It transcends socio-economic backgrounds and geographic locations. Report after report has shown that boys consistently underperform in key areas such as literacy, writing and overall academic achievement. While girls excel in those domains and are more likely to have high aspirations, boys often struggle to engage, which leads to them exhibiting disruptive behaviour and experiencing lower academic outcomes.

Underperformance snowballs exponentially and impacts on boys' educational attainment and post-school employment opportunities. One of the most troubling aspects of the situation is the lack of attention and resources dedicated to addressing it. There has been a lot of talk about boys falling behind in education, but there has not been enough action. Some of the efforts to bring more female students into STEM fields is commendable, but that has not been mirrored by making sure that boys reach similar attainment levels. We know that boys who fall behind academically are more likely to disengage from school. That leads to higher dropout rates and diminished prospects for future success.

All members are giving shout-outs in their speeches, so I will also give a shout-out to an organisation centred around the power that education has to change people's lives for the better. I note my colleague's earlier comments about Aboriginal incarceration rates. This week I met with a fantastic bloke by the name of Steve Fordham from Blackroo, who is taking young Aboriginal men who are serving prison sentences out of the system and giving them an opportunity to gain trade certificates as a way of reducing their sentences. They come out of that system with not only money behind them but also some educational attainment and skills. They can wave something in front of an employer and say, "I am employable. I am dependable." If the Treasurer is watching the broadcast, I urge him to consider this as part of my pre-budget submission. Programs like Steve Fordham's Blackroo are making real differences in improving young men's lives, particularly young Aboriginal men's lives, and they should be supported.

The Hon. MARK LATHAM (17:06): I have an amendment to the motion that I believe the mover, the Hon. Robert Borsak, will accept. I move:

That the question be amended by inserting after paragraph (7) (d):

(e) consider including in its Gender Equality Budget Statement reports on how the Government is addressing and overcoming the disparities identified in this motion.

In the hubbub about the first Mookhey-Houssos budget it might not have been noticed too widely that they produced a Gender Equality Budget Statement. We have not seen it for a while. I saw the cover and thought that

it must address all the indicators and policies where women are disadvantaged and where men are disadvantaged in New South Wales. We have heard from the Hon. Robert Borsak, and the Hon. Courtney Houssos has acknowledged the alarming statistics about male disadvantage, suicide rates, life span, health and education indicators, accidents and deaths at work. Those are alarming statistics, as the Minister said.

But the so-called Gender Equality Budget Statement is just for one gender. It is for women only. It is 70 pages and it addresses some legitimate and some not-so-accurate matters of female disadvantage in New South Wales, including valuing "women's work", increasing women in leadership roles, making early childhood education more accessible, celebrating women in sport, domestic and family violence—and on it goes. You would think that there would be something about the alarming statistics concerning men that we are debating right now. If the Government is to take the issue seriously, it should balance out the Gender Equality Budget Statement by including both genders. Wouldn't it be a novel idea to include the other half of New South Wales and to say that men face important matters in all those areas of disadvantage, particularly suicide and, at the other end, the start of life? Terrible statistics show that boys at all levels of the education system are falling further and further behind girls.

The Minister, as the mother of a wonderful boy, knows that. It is a reality that we face every day in the school education system right through to tertiary education access. A table in the Gender Equality Budget Statement indicates that, as women charge through in much greater numbers than men in all the tertiary areas, they are dominating employment in health care and social assistance, education and training, retail trade, and accommodation and food services. It is fifty-fifty in many of the other areas. Those are wonderful opportunities for women. But there is a downside when boys cannot read or participate in exams in any meaningful way, and when boys drop out of the system and become trouble on the streets, with all the social and economic costs that come with that. My amendment purely provides for the Government to include both genders in the Gender Equality Budget Statement and get real and effective in dealing with the problems that the Hon. Robert Borsak has brought to the attention of the House.

The Hon. RACHEL MERTON (17:09): I thank the Hon. Robert Borsak for bringing this important issue to the attention of the House. I start my contribution to debate by confronting some of the facts that have been presented here today. Men in New South Wales, as in many parts of the world, are suffering in silence. They are falling behind, not by choice but often by circumstance and neglect. Our health system, educational institutions and societal structures often fail to adequately support or even recognise the unique challenges that men face, with the consequence being a devastating impact on their wellbeing, their families and our communities at large.

In the realm of health, the disparity is blinding. Men have a shorter life expectancy than women and they are more susceptible to life-threatening diseases, yet societal norms and stigmas surrounding masculinity often discourage men from seeking help or talking about their health concerns, leading to preventable deaths and suffering. This is not just a statistic; it is a heartbreaking reality many of us have witnessed firsthand. I thank Dr Amanda Cohn, who today hosted Your Town in Parliament. I thank Your Town CEO Tracey Adams and her team and the many guest speakers who shared their experiences with us today. We saw the statistics firsthand: Women are almost four times more likely to seek help than their male counterparts. While this should not come as a shock to many, it is a reminder of how wide the gap is for seeking help.

The statistics discussed today are concerning and confronting. Members were reminded about education. Boys are consistently outperformed by girls across educational metrics. They are more likely to drop out of school and less likely to pursue higher education, limiting their career opportunities, economic stability and personal growth. Surely we have to stand back and ask why we are failing our boys. Education should be a right, not a privilege determined by gender. Homelessness and suicide rates are alarmingly high, painting a grim picture of despair and neglect. We must unite in our efforts to close the gap for men and boys, advocating for policies and practices that recognise their needs and potential. We want to build a future where every individual, regardless of gender, can live a healthy, educated and fulfilling life. I thank the member for bringing these issues to our attention.

The Hon. ROBERT BORSAK (17:13): In reply: At the outset, as tough as it is, I accept the Government's amendments without too much quibbling. I also accept the Hon. Mark Latham's amendment. I thank the Hon. Courtney Houssos, Dr Amanda Cohn, the Hon. Natasha Maclaren-Jones, the Hon. Mark Banasiak, the Hon. Mark Latham and the Hon. Rachel Merton for their contributions to the debate. Particularly, I thank the Hon. Courtney Houssos, who does appreciate the needs of men and boys. I note the irony that the Government did not lead with a man on this particular issue. Be that as it may, maybe this motion poignantly underscores the profound challenges confronting our society's fundamental principles of fairness and justice, particularly regarding the plight of men and boys in New South Wales concerning health, education, homelessness and incarceration rates.

Men in our State confront significant health discrepancies, grappling with reduced life expectancy and heightened rates of chronic illness compared with their female counterparts. These disparities, including the prevalent issues of diabetes and substance abuse, underscore the systemic inequalities in preventive healthcare

provision. Mental health, further exacerbated by the male stigma surrounding help-seeking behaviours, remains an urgent concern demanding accessible and tailored support systems. Data in New South Wales education reveals a disconcerting pattern. Boys consistently lag behind in our educational system, particularly in literacy and academic performance, perpetuating the broader and longer term societal inequalities. This enduring gap not only stifles individual potential but also perpetuates cycles of disadvantage. It is incumbent on us to address it.

While amendments to legislation such as the bail laws are imperative, they only scratch the surface of a deeper policy and pragmatic shortfall, particularly in relation to communities like Moree, where a disproportionate number of offenders are male. Acknowledging the interconnectedness of the myriad challenges behind these disparities is crucial. Comprehensive action is indispensable in health, education and social outcomes to redress these disparities. Reaffirming our commitment to closing the gap for men and boys is also imperative. By steadfastly committing to closing the gap and dismantling discriminatory practices such as diversity, equality and inclusion policies and practices, we can pave the way for a future where equality is not merely a catchphrase for women and the special 3 per cent but a tangible reality for all in our society. We all must be equal.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Robert Borsak has moved a motion, to which the Hon. Courtney Houssos and the Hon. Mark Latham have moved amendments. The question is that the amendment of the Hon. Courtney Houssos be agreed to.

Amendment of the Hon. Courtney Houssos agreed to.

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

Motion as amended agreed to.

TRADE POLICY

The Hon. JACQUI MUNRO (17:18): I move:

(1) That this House notes that:

(a) Victoria, Queensland and Western Australia each have a greater staff presence than New South Wales in trade offices throughout the Association of Southeast Asian Nations [ASEAN];

(b) the Minns Labor Government is cutting frontline, on-the-ground trade representatives across the world, including in ASEAN nations;

(c) the New South Wales Trade Minister confirmed during the budget estimates hearing held on 8 March 2024 that the Minns Labor Government has no trade strategy; and

(d) the Minns Labor Government has no trade export goal for New South Wales.

(2) That this House acknowledges:

(a) the role of State-led trade relationships with cities, nations and regions to build industry relationships and support trade deals for New South Wales businesses, noting that Austrade has no requirement to favour New South Wales trade;

(b) the importance of local, on-the-ground departmental staff to build relationships with potential business partners and provide accurate information to onshore teams; and

(c) the value of industry and private sector expertise in developing government-supported, high-level business relationships and driving trade deals through their knowledge, networks and seniority.

(3) That this House calls on the Government to:

(a) urgently release a trade statement, including a practical plan to increase export opportunities for businesses in New South Wales; and

(b) announce an export value goal for New South Wales, including a dollar figure and as a percentage of gross State product. We are truly lost at sea when it comes to trade in New South Wales. We are in the Bermuda Triangle of trade policy. We have a Minister asleep at the wheel and a crew complaining that no-one brought a telescope and they cannot even read a map. The good ship New South Wales is in rough seas and the Minister cannot be trusted to steer us back to safety. A month ago the Minister went to the ASEAN conference in Melbourne. He was with some of our trading partners, Prime Ministers and Presidents from countries like Vietnam and Singapore. He was very complimentary about the trade relationships that we have. Unfortunately, he did not have a record of his presentation or speeches to that conference. The Prime Minister and other Ministers, such as Minister Husic, had transcripts and media releases. But from our Minister, there was no record. It was like it was scrubbed. There was no media release. There was a drop to *The Australian*, a publication that has a paywall. There was no transparency about what was going on there.

The Minister talks up a strong trade relationship and says things like, "I'm conscious that this can't just be buy and sell. We can do better than that." The trade Minister wants it to be more than buy and sell, or says that it is not just buy and sell, but the reality is that he has platitudes for international leaders on one hand and on the other hand he has his fingers crossed behind his back, because trade office frontline staff and senior trade and investment commissioners are being slashed around the world, including in ASEAN nations. How can those leaders trust that this New South Wales Government has their trade relationships at heart?

The New South Wales trade office has eight staff members across ASEAN; Victoria has 30, and Queensland and Western Australia have 15 each. There has been a 30 per cent reduction in frontline offshore trade staff to satisfy cuts within the Department of Enterprise, Investment and Trade. We cannot go past the senior trade and investment commissioners. They are highly credentialed professionals at the top of their game in terms of business and regional relationships. They are on the front line creating business opportunities for the people of New South Wales across Asia. They were axed with no performance review. There was no reference to any strategic decision-making in cutting their positions. The Minister and this Government are all about politics over policy when it comes to trade.

Take our relationship with Japan, which is our biggest trading partner. Our State's key relationship holder, Mr Mike Newman, is now gone. The Minister likes to talk a big game on ASEAN, but the ASEAN Senior Trade and Investment Commissioner, Mr Andrew Parker, is also getting the chop. In India there is a market of imports available of over $1.4 trillion. Do we have a permanent senior commissioner represented there? No, we do not. China is the same. In a week where the Federal Government is looking to repair our trade relationship with China, it is absolutely ridiculous that New South Wales is not going to be represented as formally and fully as we could be in that space.

On the one hand, the Minister is offering platitudes. On the other hand, his fingers are crossed behind his back. How can our trading partners trust this Minister when he says one thing while doing the exact opposite? The reality is that there is no strategy behind any of his decisions. We heard in budget estimates that the Minister has rejected a trade statement. It is 24 pages. We already have one. The hard work has been done. Five key strategies were being rolled out already, but that has been put to one side without anything to replace it. We also heard at budget estimates that the trade Minister does not know the value of trade exports from New South Wales, which was incredibly problematic. He did not know the value of the New South Wales economy.

It is really disappointing and a little bit scary, to be honest, that our so-called senior Ministers, who are responsible for the growth and economic stability of this State, are not deeply enmeshed in the policy areas that they have been entrusted to grow and to support. The Minister is playing politics over policy. We should be generating at least $200 billion in export revenue by 2030. I believe that we will make that target, but we do not have another one. There is no other target in place. There is no strategy. The Minister has not come up with anything. We deserve a Minister we can trust. We need to have answers from the Government. The alternative is that we are a sinking ship and that we will remain in the Bermuda Triangle of trade policy.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:23): For a non-political motion about trade, this is the Hon. Jacqui Munro leading with her chin. Let us talk about trade. Let us talk about where New South Wales is at. New South Wales is on track, as grudgingly accepted by the Opposition, to meet the 2030 target of $200 billion in trade by 2031. We have exceeded the target for 2024. The new Government is working on trade and the new Minister is doing a very good job. The Opposition failed to indicate that, other than the host State, the only State jurisdiction invited to the ASEAN meeting was New South Wales. That is because the trade Minister is well connected and he is working extremely hard. Let us remember the trade plan. The Legislative Council undertook a whole inquiry on it, and the Hon. Courtney Houssos, the Hon. Daniel Mookhey, the Hon. John Graham and I spent a lot of time on it. We found a trade system that was built to employ mates of members of the Opposition.

The Hon. Sam Farraway: They would have done a better job than your lot.

The Hon. PENNY SHARPE: The Hon. Sam Farraway wants to defend John Barilaro in New York. If that inquiry had not happened, John Barilaro would have been in New York with his feet up in the $1 million office, loving himself sick.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! The Hon. Sam Farraway will come to order.

The Hon. PENNY SHARPE: Even when he was the trade Minister, he had not met with the Consul General for over three years. I am really happy to talk about this issue. I am embarrassed on Opposition members' behalf that they decided they needed to bring this motion to the House. Trade is incredibly important. The Premier is meeting with our trading partners almost every week, as am I, our other Ministers—

The Hon. Sam Farraway: Is he doing Anoulack's job?

The Hon. PENNY SHARPE: —and our trade Minister.

The Hon. Sam Farraway: The trade Minister? He is nowhere.

The Hon. PENNY SHARPE: I know the Hon. Sam Farraway is upset because he wanted John Barilaro to be the trade commissioner in New York, and he did not get his gig and it is very sad—not really, it was an outrage. Trade is extremely important. New South Wales is meeting its targets as it should.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Jacqui Munro will be called to order if she continues to interject.

The Hon. PENNY SHARPE: We are working all the time on what comes next, but it is not about having a lot of people in offices in various parts of the world, comparing each other to other States, having little drinkies and going to the tennis. It is not about that. It is about facilitating trade. It is about facilitating exports. The trade and investment coming New South Wales's way is higher than it has ever been.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! Members will come to order.

The Hon. MARK LATHAM (17:26): I oppose the motion on the basis that in our bicentennial year the Legislative Council grows more interesting by the day. We have all of these foreign policy experts. Why have they not gone to Canberra to solve the issues in the Middle East? Now we have trade experts who clearly belong in Canberra to produce greater exports for Australia, prosperity and jobs. Those talents are wasted in the humble Legislative Council. The red leather is comfortable, but this expertise deserves a better fate in Canberra.

Trade, of course, is a Federal responsibility under the Australian Constitution. My experience is that when someone from New South Wales knocks on the doors of overseas investors, and then someone from Victoria, Tasmania and Queensland, it can be all very confusing. What sort of place is this that every tin-pot jurisdiction has a trade tsar knocking on the door? How about we leave it to Austrade to do the job? Why are we duplicating the expenditure, resources and personnel of Austrade? This is an obvious area of budget savings, which is what I believe the Government has done.

The motion has been moved by the Liberal Party. What about its record in government? For all this hoopla and talk about trade, can anyone point to a trade breakthrough that these bureaucrats have achieved in any of these offices? In fact, the most notorious thing that happened under the former Government in trade was an endless series of press releases and memorandums of understanding [MOU] from Stuart Ayres about the aerotropolis. If all of those press releases and MOUs that could have generated jobs, factories, retail and business centres were baked together, Bradfield and the aerotropolis would have been a bigger major centre than Kiama. It would have been huge. It would have been the mega-tropolis.

Instead, after tens of millions of dollars, squillions of bureaucrats, overseas trips and Ayres' press releases, all it has produced is one lonely crane sitting above the skyline, wishing it had a friend and wishing something was happening on the ground. It is a government-owned and -operated crane, I believe, building a water and sewerage centre. Stuart Ayres' effort in trade and all the wasted money produced nothing other than paper, press releases and MOUs for the aerotropolis. The former Government stands condemned in that regard. They have produced absolutely nothing. We heard a whole barrage of nautical metaphors from the Hon. Jacqui Munro. I am afraid your old mate Stuart Ayres was merely rearranging the deck chairs on the *Titanic*, because the aerotropolis is going down.

The Hon. Jacqui Munro: We've hit the iceberg with the new Government.

The Hon. MARK LATHAM: The former Government was all tip and no iceberg on trade policy. It has gone down the gurgler on this, as it deservedly should.

The Hon. SAM FARRAWAY (17:29): As much as I like the Hon. Mark Latham, I cannot agree with him on this motion. Minister Chanthivong said in budget estimates on 8 March that the former Government had no trade strategy, but this Government is asleep at the wheel. An example of how ordinary and underperforming the State's trade vision, policy or discussion are—just something from the Cabinet—is in our wine industry. Regarding whether the Commonwealth or the State should look after trade, I think there is a role for State governments to play. I will use the Labor Government in South Australia as a comparison. South Australia produces a good drop of wine, but I believe we produce better wine in the great State of New South Wales.

It is a shame the New South Wales Minns Labor Government does not support our wine industry. It cannot even get to the point where it is supported with an MOU, which will be important because it is hopefully about to embark on the single biggest trajectory for return to former growth with the opening up of the Chinese market. Where is the New South Wales Minns Labor Government supporting Don Farrell and the Commonwealth? It is

nowhere. What has the South Australian Government done to support its wine industry? It has organised a delegation, met with its producers and growers, and put a couple of million bucks behind it. It is going to China with Don Farrell to sell South Australian wine to the Chinese market.

When Minister Moriarty was asked in budget estimates, "What have you done to support the New South Wales wine industry? she said diddly squat—absolutely nothing. When asked if she could match or even consider doing what the South Australian Labor Government is doing—blank; crickets. Ask Minister Chanthivong; he is no good. He does not even believe in a trade strategy. This is an absolute joke that is emblematic of this Government. It is all talk and no action. What about the jobs and the producers around the Riverina who rely on exporting New South Wales wine to overseas markets? Minister Moriarty says she is engaging, but the Government will not even meet with them. There is lots of talk but absolutely no action. The Government cannot even ensure that a New South Wales wine is included in the Venues NSW contract. That is how out of touch it is. That it will not even support its own State-based wine industry is an absolute shame.

The Hon. ROD ROBERTS (17:32): I did not intend to speak to the motion, but I was listening to the debate and thought that the Liberal-Nationals Coalition needed to be reminded about seeking trade and investment in New South Wales. Why would any country want to invest in New South Wales when it is a sovereign risk? I draw the attention of the House to the fiasco that is the NuCoal situation, where foreign investors from Japan and the United States invested money into an ASX-listed company in New South Wales. For whatever reason—and there is lots of speculation about why—Barry O'Farrell's Government wiped NuCoal's exploration licence and the investment the foreign investors made went down the gurgler.

Looking around I think the Hon Anthony D'Adam is the only other member in the Chamber who is on the Standing Committee on Law and Justice. In 2019, way back when the Liberal-Nationals Government was still in charge, the committee heard evidence and made recommendations about compensation for innocent shareholders. From 2019 until the end of its term, the former Government chose to do nothing at all. Now members are saying we should be investing in New South Wales by seeking trading partners and doing everything like that. If I was a foreign investor, I would be very scared about investing in New South Wales because of the risk that a government in this State can come along and wipe my assets completely. Liberal-Nationals members need to have a good, hard look in the mirror before they start talking about investment in New South Wales.

The Hon. CAMERON MURPHY (17:34): I listened with a lot of interest to the wonderful passion of the Hon. Sam Farraway, who in the past couple of weeks has been extremely interested in Federal issues like trade. He is probably one of the few people who talks about them who might go to Canberra. I am sure that is what is driving his passion. I feel for the Hon. Jacqui Munro, the mover of this motion. Imagine getting up in this House and defending the previous Government's record on trade and trade commissioners. It is extraordinary.

I feel for the honourable member given that, like me, she is new and she was not in the previous Government. When the Liberal-Nationals were in charge it was about jobs for their mates, appointing John Barilaro to New York and other people to London. There were friends of theirs everywhere. As the Leader of the Government indicated, we know that those were the only jobs that would have come out of the trade commissioner process from the important findings made by the Public Accountability Committee's inquiry into the appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas. Finding 1 states:

> John Barilaro inappropriately interfered in the selection process for the Agent General UK by failing to meet with the preferred candidate and instead directly approaching Stephen Cartwright and soliciting his candidacy.

Finding 2 states:

> John Barilaro's decision to canvas Mr Cartwright's remuneration expectations, even though he had not yet applied, was highly inappropriate and showed poor judgement.

Finding 3 states:

> The Premier's refusal to assist this inquiry in its investigations has impeded the committee's ability to determine his role in the selection of Stephen Cartwright as the NSW Agent General UK, as well as determining his remuneration.

Finding 6 states:

> That the NSW Government lacked integrity and transparency in its recruitment of the Senior Trade and Investment Commissioners, given that the appointment of at least two of these positions were inappropriately influenced by its Ministers.

That is the trade record of the former Liberal-Nationals Government. This motion goes back to a trade record of appointing people to wonderful overseas positions on hundreds of thousands of dollars a year so, as the Leader of the Government said, they can play tennis, put on drinkies for people and pretend they are helping New South Wales with its trade. That is something this Government does not want.

The Hon. JACQUI MUNRO (17:37): In reply: I thank the Hon. Penny Sharpe, the Hon. Sam Farraway, the Hon. Mark Latham, the Hon. Rod Roberts and the Hon. Cameron Murphy for their contributions. This debate demonstrates that the Government still has no policy and no idea about what to do on trade and investment to increase opportunities for businesses in New South Wales to grow. By talking about one particular person, the Government is demonstrating that it is putting politics over policy. We are here to discuss how we can make our State better. The Federal Government obviously has a role, but this Federal—

The Hon. Penny Sharpe: You should be the shadow Minister, Jacqui. I would support you.

The Hon. JACQUI MUNRO: I thank the member very much. I love bipartisan support, and we should have bipartisan support for this matter because it is for the economic development of New South Wales. Yes, the Federal Government is responsible for trade, but Austrade is not demonstrating any sort of favourability toward New South Wales. I asked the trade Minister specifically if he had secured some magical deal for New South Wales so that we could benefit from the networks that Austrade have around the world; but, no, we do not have that. We are being beaten by South Australia, Victoria, Queensland and Western Australia, who all have larger trade offices overseas, who are all taking more ministerial visits and who are taking more Premiers overseas to meet with delegations to bring business back to their States.

The reality is that the Government has no idea what it is doing about trade policy. I am curious about how we are supposed to progress as a State. Madam Deputy President, I am mindful that the clock has not started. We heard in budget estimates that the trade Minister met with senior trade officials over canapés and champagne at functions. There were no sit-down meetings. There was no reaching out. There was no engagement with people who are on the front line overseas, developing these relationships. What we are finding now is that we have no relationships. We are falling away in our commitment and our desire. With countries around Asia, in particular, we need high-level individuals making commitments to high-level individuals overseas, to make those strategic relationships count and to ensure that we are giving those countries the respect that they deserve. At this point in time, we are giving them no respect. There is no realistic or honest engagement.

The Minister is going down to Melbourne to meet with leaders, and he is saying one thing and doing another. Did the trade Minister tell the leaders of the Association of Southeast Asian Nations [ASEAN] that he was ripping out staff from trade offices? Did the trade Minister tell ASEAN leaders that he was ripping out money from these offices, meaning that we would have less capacity to deal with them? We have heard from the Hon. Sam Farraway about our wine industry. At the moment, Federal Labor is actually looking to increase the strength of Australia's relationship with China but, in New South Wales, we will not be able to make the most of that because our trade Minister is missing in action. He has not put any effort towards supporting our wine industry so that when China and Australia have a stronger relationship we could make the most of it. That is not happening at all.

We heard that other States are doing so with great enthusiasm and are giving great priority to trade. Trade should be a senior ministerial position in any government because we know that we grow economies through trade relationships and business. We need to make sure that we have those relationships on the ground, not just sitting onshore in Sydney. The senior trade and investment commissioners are people who are living in those countries. They have been doing business in those countries for years; they literally speak the language of those countries. The Government is cutting those people and replacing them with smaller offices and less senior individuals who will not be able to make the case for New South Wales with the same dedication and expertise. We need more from our trade Minister than canapés and champagne meetings with our overseas representatives. We need people who are willing to put action behind a plan. We need a policy and a goal for New South Wales. We are lost at sea.

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

The House divided.

Ayes 14
Noes 24
Majority.....10

AYES

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

NOES

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

PAIRS

Taylor	Jackson

Motion negatived.

Committees

SELECT COMMITTEE ON THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Establishment

The Hon. TANIA MIHAILUK (17:50): I move:

(1) That this House reaffirms its commitment to the human right of the presumption of innocence and its dedication to supporting all victims of crime, including sexual offences.

(2) That this House notes the considerable resources and time invested by the State in criminal trials, including the time of jurors, the impact of alleged victims and the accused.

(3) That this House further notes with concern that five judicial officers have levied serious criticisms against the Office of the Director of Public Prosecutions [ODPP], in relation to cases involving sexual assault in less than 12 months.

(4) That this House establish a special select committee comprising three Government, three Opposition and three crossbench members to inquire into the Office of the Director of Public Prosecutions with the following terms of reference:

(a) to inquire into the decisions to prosecute by the ODPP where adverse comments have been made by judges concerning the credibility and reliability of evidence in sexual assault matters in the last 24 months;

(b) to inquire into the adequacy and application of the NSW ODPP guidelines, including how the prosecution decisions are made, how the decisions to prosecute are taken and recorded, the independence of prosecutors who have carriage of sexual assault matters and the interplay between the Legal Profession Uniform Conduct (Barristers) Rules 2015 and the independence of salaried prosecutors;

(c) the incidence of sexual assault prosecutions that have been discontinued by the ODPP prior to committal, following committal and during trial;

(d) the adequacy and outcomes of the self-audit/review announced following budget estimates by the director of the ODPP of sexual assault briefs before the courts;

(e) the appropriateness of the two public statements by the Director of Public Prosecutions in response to recent judicial comments of Whitford J and Newlinds J, in relation to sexual assault cases;

(f) this inquiry will not investigate current matters before the court where a verdict is yet to be returned; and

(g) the scope of the inquiry is to remain narrow with respect to the aforementioned matters that are already in the public realm.

As a member of this House and someone with a lifelong interest in matters to do with the law, I take incredibly seriously my paramount commitment to the administration of justice. Integral to our system of justice is the Office of the Director of Public Prosecutions. In less than 12 months, six judicial officers have expressed a variety of concerns about cases brought by the Director of Public Prosecutions about sexual assault matters and the serious lack of credible and reliable evidence. Two of those statements contained in judgements have resulted in the DPP publicly responding by way of media release. In one of those statements, the DPP said that it would refer, and did in fact refer, a judge to the Judicial Commission. That referral has caused significant concern amongst the legal fraternity and has led to a plethora of leaks within the DPP, where staff are anonymously reaching out to the media to make it clear that they have been pressured despite their concerns to pursue meritless cases.

Following questioning at budget estimates, the DPP announced that it would do an internal audit, which has also been largely criticised because the audit is seen as insufficient and lacking transparency and accountability, which is currently so desperately needed. Whilst I make it clear that I will not comment on the specifics of the DPP's complaint and referral of Justice Newlinds to the Judicial Commission, I will refer to former

Bar Association president and respected silk, Arthur Moses, who spoke to *The Weekend Australian Magazine* on Saturday 8 March about the statement on the Martinez matter. He said:

> I am troubled as to whether the making of these types of complaints to the judicial commission may have a chilling effect on judicial officers expressing their concern about the conduct of cases before their court. If that happens, it would be most regrettable and would be contrary to the public interest. There needs to be transparency on why prosecutions fail and judges should not be cowered into silence if they have concerns about the conduct of prosecutions. On no view could it be said that any of these judges have engaged in conduct that falls within section 15 of the Judicial Officers Act. Judges are entitled to explain publicly their views and concerns in relation to the conduct of cases that come before her or him.

Complainants, victims, those accused, the legal profession and the public should have trust and confidence in our system of justice, particularly when it comes to matters of great sensitivity and complexity. But that trust and confidence is now at serious risk, which should concern all of us. I do not know how many more judges will add to those who have already spoken up, but I do know that this House will be derelict in its duty if we do not seek to inquire into concerns that are now very much in the public domain. Judges have highlighted many cases with real questions of credibility and reliability of evidence.

If the case of Martinez does not give members reason to commence the inquiry, then I do not know what will. Mr Martinez was charged with sexual assault offences and subsequently held in remand for eight months. It was discovered, while the defence sought a subpoena to have particular information adduced into evidence, that five other similar charges were brought about by the complainant. The judge allowed for tendency evidence to be admitted that the complainant had a tendency to drink alcohol to the point of alcoholic blackout, have sex with men and then assert that she was sexually assaulted. It only took an hour of deliberation for the jury to deliver a not guilty verdict on all counts. Justice Newlinds said in his judgement:

> In my opinion, not only was the Applicant always bound to be acquitted by a jury, they were in fact innocent of the charges. The charges ought never have been laid, let alone proceeded with.

That is profoundly disturbing on many levels, not least of which that the applicant spent eight months in custody for a crime he did not commit. There are more comments. I encourage members to peruse the comments made by Justice Whitford, who questioned in his judgement in *R v Smith*:

> … time and time again proceedings are brought without apparent regard to whether there might be reasonable prospects of securing a conviction. It is made plain in many of those cases, that they are brought, and maintained, on the instructions of "the Director's chambers", whatever the entity so described might embrace by way of decision-making, without apparent regard to any views which might be held by the person likely best placed to assess the strengths and weaknesses and merits otherwise of the prosecution, being the Solicitor Advocate or Crown Prosecutor, salaried or otherwise, briefed in the matter.

He went on to say that alleged victims were being put through "anxiety, stress, humiliation and distress" and defendants were subjected to "inappropriate stress and disruption". In the case of *R v Vasicek*, Justice Lerve said, "The evidence of the complainant was so lacking in credibility that it was unreasonable for the prosecution to continue with the matter." There are many other cases. I note the scathing assessment of the DPP by Judge Penelope Wass. This matter cannot be ignored by the House. I ask the House to support an inquiry into the DPP under the terms outlined in the motion.

The Hon. ANTHONY D'ADAM (17:56): The Government opposes the motion and affirms its commitment to the presumption of innocence and its dedication to supporting all victims of crime. The Director of Public Prosecutions is an independent statutory officer appointed in accordance with the Director of Public Prosecutions Act 1986. The DPP is responsible for the prosecution of serious criminal offences and the conduct of appeals. In the Local Court and the Children's Court, the majority of prosecutions are conducted by police, though the DPP also conducts summary prosecutions in some cases. Decisions by the Director of Public Prosecutions about criminal prosecutions are to be made free of influence of political, individual or other sectional interests. The independence of the Director of Public Prosecutions is a cornerstone of the modern criminal justice system.

I note the comments made by some judicial officers about the conduct of a small number of prosecutions. The Director of Public Prosecutions is an independent statutory office holder. She exercises her prosecutorial functions independently of government and is not subject to the Minister's direction or control with respect to the conduct of individual prosecutions. I note that in budget estimates the Director of Public Prosecutions advised that she has directed an audit of all matters that have been committed for trial to make sure that every brief in every sexual assault matter in the State satisfies the tests in the *Prosecution Guidelines*. The independence of the Director of Public Prosecutions ensures a high degree of impartiality in making prosecution decisions and ensures that prosecutorial discretion will be exercised on neutral grounds.

Lawyers employed in the Office of the Director of Public Prosecutions are under professional and ethical obligations under statute and common law, and their decisions are guided by the *Prosecution Guidelines*. When deciding whether to prosecute, the DPP considers and applies the publicly available guidelines, which have been issued in accordance with section 13 (1) of the Director of Public Prosecutions Act 1986. The *Prosecution*

Guidelines are agreed between a number of stakeholders, including the Chief Justice, Chief Judge and DPP. The guidelines state:

> The decision to prosecute involves two questions:
>
> 1. can it be said that there is no reasonable prospect of conviction on the admissible evidence?
> 2. is the prosecution in the public interest?

They also state:

> In deciding whether to prosecute, the public interest is the paramount consideration. It has never been the rule that whenever sufficient evidence exists, a prosecution must take place.

I am advised that the DPP follows the *Prosecution Guidelines* when commencing and continuing prosecutions, not any other secret or unwritten policy.

The Hon. SUSAN CARTER (17:59): On behalf of the Opposition, I support the motion, but I indicate that we will move an amendment to sharpen its focus. A strong justice system underpins our society. We must protect and maintain it. Victims of crime must feel confident that they will be heard and respected in the justice system, and those accused of a crime must be confident that they will be presumed innocent until proven guilty. This may have been first iterated in the *Magna Carta*, but we need to restate those important principles if we want them to have continuing force. The motion helps us to reinforce the importance of the issues, which are core to our system of justice, so it should be supported.

We are all aware of the extensive and ongoing public debate in the media and in coffee shops about the prosecution policy of the Office of the Director of Public Prosecutions [ODPP]. While debate in a free society is always healthy, for the sake of continuing public confidence in the justice system the debate should be measured and it should be well informed. It should be focused on the issues and any needed improvements rather than on personalities. Budget estimates, as has been indicated by the Hon. Anthony D'Adam, did provide an opportunity to ask questions and to explore some issues around the prosecution policy in the DPP's office. It was pleasing to note that one response to that questioning was the announcement by the DPP of a self-audit into the adequacy and the operation of those guidelines with respect to sexual assault cases. That probity is really important to ensure that there is confidence in our justice system.

I am aware that there has been some criticism of the fact this will be a self-audit. While I acknowledge that the Office of the DPP is held in the highest regard, it is still appropriate that the Parliament refers to a committee an overview of the adequacy of the guidelines to ensure that proper processes are being observed. The DPP, like Caesar's wife, needs to be above suspicion, and the committee is one method of ensuring that that can be done. It is important that the motion is brought and that the inquiry is established. We believe it will be best done if the scope of the inquiry is tightened. Accordingly, I am moving amendments to incorporate recognition of the importance of public confidence in the administration of justice and to focus the inquiry on the adequacy of the prosecution guidelines. I move:

> That the question be amended as follows:
>
> (1) In paragraph (2) omit "notes the considerable resources and time invested by the State in criminal trials, including the time of jurors, the impact of alleged victims and the accused." and insert instead "recognises the importance of public confidence in the administration of justice."
>
> (2) Omit paragraphs (3) and (4) and insert instead:
>
> (3) That the Standing Committee on Law and Justice inquire into and report on the adequacy and application of the NSW Office of the Director of Public Prosecutions Guidelines.

Ms ABIGAIL BOYD (18:02): Sally Dowling, SC, is the very first woman to be appointed to the role of Director of Public Prosecutions. Following a prolonged whisper campaign by a number of judges, including allegations that there is some secret protocol or distortion of process when it comes to the progress of sexual assault cases, the DPP has announced an audit of every sexual assault matter committed for trial in New South Wales. The DPP has labelled the accusations as preposterous. The Greens agree. The Office of the Director of Public Prosecutions has described the comments of one judge as "unfounded and inflammatory", and once again The Greens agree. The bad faith criticisms from conservative political elements are the last gasps of a previous age where women's bodily autonomy was up for debate.

There are undoubtedly real issues facing victim-survivors, preventing them from achieving justice, and that is why The Greens are calling for a whole-of-system review by the Department of Communities and Justice [DCJ] into the entire life cycle of a sexual assault case so that we can really address the barriers to justice as they present themselves to victim-survivors. Currently, victim-survivors face daunting hurdles and biases when seeking justice through legal channels. They are met with scepticism, disbelief, and even hostility from people at all stages in the legal and justice system, including police officers, lawyers and judges. Those people, like many

in our society, are embedded within deeply ingrained societal myths and misconceptions surrounding sexual assault, such as victim-blaming attitudes or the false belief that false accusations are common.

Moreover, the legal process itself can be re-traumatising for victim-survivors, subjecting them to invasive questioning, character assassination and procedural delays. The legal system is an adversarial system and the structure can often exacerbate the trauma of victim-survivors and act as a hindrance to their pursuit of justice. Layered on top of those structural impediments, victim-survivors can face additional barriers to justice based on their race, class, or gender or sexual identity. It sounds to me like the Director of Public Prosecutions is the only one in the New South Wales justice system who has been paying attention in the last few years and is genuinely believing the stories of victim-survivors and is pursuing justice on their behalf. We should not be asking why the DPP is bringing forward the cases.

We should be asking why police are failing to collect appropriate evidence. We should be asking why judges are deeming traumatised witnesses to be unreliable and why we have so many cases where the decision is made not to proceed to prosecution. The idea that it is just one sector of the justice system where victim-survivors are being let down is a dangerously false narrative. Further discouragement of bringing cases is not the answer. To legitimise the critiques by granting them a parliamentary inquiry would do immense damage. There is already an audit underway and I call on the DCJ and the police to do some real self-reflection on how they can do more to support victim-survivors. It is time for the New South Wales Labor Government to get serious about this issue and stand up for victim-survivors. In the meantime we will not be supporting the motion or the amendment put forward by the Opposition.

The Hon. MARK LATHAM (18:05): Certainly the intent of the motion is spot on. Whether the committee processes are appropriate and refined enough is an open question, but it has to be said that Sally Dowling has been a disaster at the Office of the Director of Public Prosecutions [ODPP]—not just on this matter where judges are in rebellion. Clearly, she is pursuing a Me Too agenda, an activist legalism, when that is never going to work. It sullies the independence of the director and affects all the work of the ODPP. Lloyd Babb was a very good director for 10 years. Hardly anyone heard of him because he was straight down the line, truly independent, stayed out of the news cycle and did his job. And the office worked effectively. Before that was Nicholas Cowdery. He was way too activist, and we saw some of the damage that caused. The people in those jobs have to forget about politics and stick to the law.

The tragedy of the administration of Sally Dowling is not just in the matters raised in the motion by the Hon. Tania Mihailuk, it also has to be remembered that she has failed to pursue cases against those accused of sexual assault—and The Greens should pay attention to this—because the Indigenous witnesses might find it culturally uncomfortable. What is more uncomfortable is rape and other sexual assault, night after night, in Indigenous communities. All of that is terribly self-defeating and, again, a sign of the activism of a director who has lost her bearings.

Who is responsible? It is Mark Speakman. He is responsible for the appointment of Sally Dowling. It is all right for the Opposition to be supporting the committee inquiry. In effect, in large part, it is going to be an inquiry into the former Attorney General and why Mark Speakman went out of his way to appoint a Me Too activist as the Director of Public Prosecutions. She has been weaponised by Speakman's own legislation on positive consent and coercive control and sent in to do the job that judges are now complaining about. Good luck to the Liberal Party with the inquiry. It might find that it is a real boomerang that whips around and identifies Speakman, the now Leader of the Opposition, as the real villain because without Speakman there would have been no Sally Dowling disaster.

The Hon. TANIA MIHAILUK (18:07): In reply: I thank all members who contributed to the debate: the Hon. Anthony D'Adam, the Hon. Susan Carter, Ms Abigail Boyd and the Hon. Mark Latham. I will support the amendment proposed by the Opposition, but I make a couple of comments. I did not want to politicise the matter, which is why I am not attacking any particular party or the government of the day or the former Government in my motion. It is not the appointment itself that is of concern; it is what types of actions have taken place in the last 15 months. Obviously, the motion will go down today. Clearly there is not support for an inquiry. But at some point there will be an inquiry, whether this House likes it or not, because it will not stop at five or six judicial officers making comment. It will keep going because the prosecutorial guidelines have not been looked at and the way decisions are made has not been assessed.

A plethora of people are constantly making anonymous complaints to the media. They include solicitors making it clear that they are being pressured to run meritless cases. The Hon. Mark Latham is right: There is a belief amongst the legal fraternity that a Me Too type of activism is taking place within the office. It is important that we always keep the Office of the Director of Public Prosecutions in high regard. It must remain in high regard. We are all, I think, on the same page about that. But why should we not have some type of inquiry, whether it be the special select committee that I proposed or, as the Opposition is proposing, a referral to the Standing

Committee on Law and Justice? I do not mind where it goes, but it is our duty in this place to look further at what is currently transpiring in the Office of the DPP.

This is the first time that we are seeing this level of leaks coming from the office and concerns being raised. Judges are being compelled to make scathing comments in their judgements about the DPP. I am sure they do not want to make those types of comments, but they are left with no option. It has resulted in one of those judges being referred to the Judicial Commission. There will be an outcome out of that referral. I asked the Attorney General during budget estimates hearings for that outcome to be made public. I hope that it will be made public, and perhaps we will have to readdress the issue when it is. It is unfortunate that this House does not see the value in holding an inquiry into this matter because when something like this takes place in the public domain, it is our duty to act as parliamentarians.

The PRESIDENT: The Hon. Tania Mihailuk has moved a motion, to which the Hon. Susan Carter has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes 17
Noes 19
Majority.....2

AYES

Banasiak	Latham	Munro
Borsak	MacDonald	Rath (teller)
Carter	Martin	Ruddick
Fang (teller)	Merton	Tudehope
Farlow	Mihailuk	Ward
Farraway	Mitchell	

NOES

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

PAIRS

Maclaren-Jones	Jackson
Taylor	Moriarty

Amendment negatived.

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

Leave granted.

The House divided.

Ayes 5
Noes 31
Majority.....26

AYES

Banasiak	Latham	Ruddick
Borsak (teller)	Mihailuk (teller)	

NOES

Boyd	Graham	Mookhey

NOES

Buckingham	Higginson	Munro
Buttigieg	Houssos	Murphy
Carter	Hurst	Nanva (teller)
Cohn	Kaine	Primrose
D'Adam	Lawrence	Rath (teller)
Donnelly	MacDonald	Sharpe
Faehrmann	Martin	Suvaal
Fang	Merton	Tudehope
Farlow	Mitchell	Ward
Farraway		

Motion negatived.

Rulings

POINTS OF ORDER

The PRESIDENT (18:22): During the take-note debate on answers to questions earlier today, the Assistant President ordered that the clock be stopped when a point of order was taken during a contribution to the debate by the Hon. Anthony D'Adam. At the end of the member's contribution, the Hon. Natalie Ward took a further point of order requesting that the Assistant President seek a ruling of the President on stopping the clock when a point of order is taken. The Assistant President indicated he would do so. I have now spoken to the Assistant President and considered the matter.

The standing orders are silent on stopping the clock during the taking of points of orders. In those circumstances, the House falls back on practice. Since 2015 it has been the practice of successive Presidents—President Ajaka, President Harwin, President Mason-Cox and me—to stop the clock on the taking of a point of order during question time. That is done automatically by the Usher of the Black Rod.

It is not practice for the clock to be routinely stopped on the taking of a point of order during other proceedings, including the take-note debate on answers. In most circumstances, Presidents and other occupants of the chair have allowed the clock to continue to count down. It is my intention to continue to observe that practice as a usual matter of course. However, as is observed at page 476 of the *New South Wales Legislative Council Practice*, it is entirely at the discretion of the President or other occupant of the chair to order that the clock be stopped if they consider it appropriate to do so, as happened in this case. In such circumstances, the Usher of the Black Rod acts on the instruction of the President or other occupant of the chair.

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery members of the Macquarie University Liberal Club, guests of the Hon. Natalie Ward. The importance of young people in politics cannot be overstated. I was a proud member of the Sydney University Liberal Club and, in fact, the Sydney University Labor Club.

Motions

KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT

The Hon. EMMA HURST (18:25): I move:

(1) That this House notes that:

(a) large areas of Kosciuszko National Park are currently closed while the Government conducts aerial shooting operations, including aerial shooting of brumbies;

(b) this decision has caused enormous distress within the community, which cares deeply about the suffering of animals and does not want to see them shot from helicopters in the sky;

(c) the decision of the Government to proceed with this mass killing while there is an ongoing Legislative Council inquiry shows enormous disrespect for the committee process, and the important role this House plays as a house of oversight and review;

(d) there remain many outstanding questions about the flawed methodology used to estimate brumby populations in New South Wales, as well as serious concerns about the Government's standard operating procedure which has ignored even the most basic welfare recommendations and will allow shooting to be conducted throughout foaling seasons;

(e) aerial killing is cruel, inhumane and is simply not supported by the community, despite what the Government may claim;

(f) the Government has stated publicly that it has received 11,000 submissions through its consultation process, and that 82 per cent were supportive of aerial shooting; and

(g) what the Government failed to mention is that over 8,000 of those submissions were pro formas from the Invasive Species Council, a lobby group dedicated to the killing of animals, and which spent a large amount of money advertising their pro forma on social media platforms which led to a large number of submissions from people outside of New South Wales, thereby completely distorting the true views of the community.

(2) That this House condemns the decision of the Government to slaughter the Kosciuszko brumbies.

(3) That this House calls on the Government to stop the killing and instead use humane non-lethal alternatives.

I take what seems to be a very unpopular position in this House: that animal cruelty is morally wrong in all circumstances. The saddest part of that is I think that I am the only one in this place who truly believes it, and this debate exposes it like nothing else. I am moving this motion today because it is the last chance for the Kosciuszko brumbies. After today the Government plans a full-blown killing spree for six months from April to October. As the chair of the upper House inquiry, I am particularly disappointed that the Government has chosen to ignore the inquiry and has essentially snubbed the upper House process.

However, the inquiry has been a useful process. We heard evidence that there is a lack of proof that brumbies are the major cause of damage to the park and that other causes of harm—such as human development, climate change and diseases such as chytrid fungus—continue to be overlooked and even ignored in favour of vilifying one species above the most obvious causes of damage. We also heard that humane alternatives like immunocontraceptives, if needed, have also been ignored. The inquiry has exposed significant concerns about the Government's new standard operating procedure which, far from being a robust document, actually omits protections that existed in previous SOPs like a ban on shooting during foaling season. Documents provided to the inquiry this week show that RSPCA NSW raised serious concerns about shooting in closed vegetation canopies or on steep slopes, and about shooting occurring during foaling season. The RSPCA asked:

> Are there any other strategies to reduce the risk of orphaning/starvation of young at foot? Such as the timing, during the year, of using this strategy?

The Government has ignored the RSPCA chief veterinarian's concerns and has started the killing in the heart of foaling season. Shocking new footage that I have seen this week raises questions about missing foals who may have been left to starve to death or be predated on after their family groups were shot. The inquiry has also exposed what many of us already knew: Aerial shooting is not supported by the majority of the community. The Invasive Species Council submitted 8,000 pro forma submissions, many of which did not even come from New South Wales. By contrast, submissions to the upper House inquiry have shown that an overwhelming number of respondents are opposed to aerial shooting. The decision to proceed with shooting in the face of serious animal cruelty concerns and overwhelming community opposition has led to a massive loss of trust in the Government.

People are calling my office every day, often in tears, asking what they can do to stop the bloodbath from going ahead. But their hurt is nothing compared to the fear and suffering those animals experience when chased by helicopters and shot from the sky. The Animal Justice Party will always fight for protection against harm for every animal, no matter how popular or unpopular they are. Let me be clear: Aerial shooting of pigs is inhumane. Aerial shooting of our native animal, the dingo, is inhumane. Aerial shooting of deer is inhumane. And aerial shooting of brumbies is inhumane.

The most disgusting thing about all of it is that it is entirely unnecessary. Members of this House refuse to discuss or even consider alternatives as they pile into political positions rather than look at what is most humane. One day this House will have a genuine discussion about true interspecies justice, rather than ignoring the truth about humanity and kindness. To pretend that animals do not suffer or feel pain is not a political position; it is cowardice. Recognising that obvious fact is not anthropomorphism; it is acknowledging basic science. I hope that one day this will not be a place where justice continues to be ignored. Until then, every member in this place is failing to uphold a basic decency of humanity. I will continue to call it out in all of its forms. I encourage all members to support this motion.

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

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:00): I oppose the motion moved by the Hon. Emma Hurst. There has been a lot of discussion in this place in relation to the changes to the plans of management and the horse management plan for Kosciuszko National Park. The reasons for this remain the same, the urgency remains the same and the need to not accept the status quo remains the same. At 690,000 hectares, Kosciuszko is the largest

national park in New South Wales. It is actually the size of Bali, for those paying attention. It is our only alpine park. It is fragile. Around 32 species of both plants and animals are found there that are not found anywhere else on earth. Twelve of them in particular are threatened native species that are under severe pressure from the impact of the horses in the park. As a result of that, we had to make some hard choices.

We made the choice in Parliament a few years ago when the Kosciuszko Wild Horse Heritage Bill was introduced by the then Government, and I note the Opposition opposed it at the time, but it did provide the need and a recognition of the need to reduce the number of horses in the park. National Parks and Wildlife have been trying to do that ever since. When we were elected last year, I was given some strong advice by the National Parks and Wildlife Service that we would not meet the target of getting the number of horses down to 3,000 by 2027. We embarked on a very big and very open program to change the horse management plan and the arrangements around it that would allow aerial shooting. That is now in place and being undertaken by the National Parks and Wildlife staff, who are extremely dedicated to protecting that park and the native animals and plants in there.

I understand that the Hon. Emma Hurst has a different view in that she believes that all animals are equal. But we have made the very deliberate choice to protect the native animals in that park. Yesterday I gave some figures to the Chamber regarding the number of horses that have been removed. Since November 2021, 4,152 horses have been removed. The important part is that 916 of them have been rehomed. We are also looking at other methods to reduce numbers in the park, but the reality is we are shooting horses in the park. We are doing that aerially and on the ground. Aerial shooting is another tool in relation to this matter, but the important thing is we are making progress and we are starting to see improvements in the park already as we remove the horses.

The Hon. WES FANG (20:04): I lead for the Opposition and indicate our support for the motion. I foreshadow that I will move an amendment shortly. Before I do that, I will address some of the comments made by the Hon. Penny Sharpe. The Minister indicated the urgency and the need, in her opinion, to handle this issue and that we had to make some hard choices in this House when we talked about how we would manage the brumby numbers. That is fair enough, but what we are seeing now in the evidence that was published today is that the way that the Minister is killing those brumbies would seem to be inhumane and cruel.

As the Minister said, when we make urgent and hard choices we should do so in a way that is humane—we should do so with humanity in mind. I think the Minister has failed to grasp that concept. She has failed to understand that if the horse that was shown in the paper today was shot once and did not die in the area where it was shot, then it is likely that horse suffered a terrible death. When the Minister says we need to make hard choices, we need to decide if we are going to make those hard choices in this House and sacrifice things like animal welfare. I move:

That the question be amended as follows:

(1) In paragraph (1) (e) omit "is cruel and inhumane and" and insert instead "of brumbies".

(2) In paragraph (1) (g) omit "a lobby group committed to the killing of animals".

(3) Omit paragraph (2) and insert instead:

(2) That this House calls on the Government to pause the aerial culling currently occurring in Kosciuszko National Park to conduct an urgent investigation.

(4) Omit paragraph (3) and insert instead:

(3) That this House calls on the Government to investigate fertility control as an alternative.

This House has a choice tonight. We know that the killing of brumbies is happening in an inhumane way. No matter how the standard operating procedures are published and implemented, it is still the case that brumbies are likely being killed in an inhumane way. This House can choose whether to allow that to continue or whether we seek to stop it.

The Hon. RACHEL MERTON (20:07): I commend the Hon. Emma Hurst for moving her motion and recognise her outstanding work on this issue. She has played an important role in ensuring the spotlight is shone squarely on the shameful aerial culling of our brumbies. I will never understand the Labor Government's determination to unleash a mass aerial cull of our brumbies based on uncontested, questionable and, quite frankly, unreliable data. Many questions have been asked. The answers have not been provided. Labor in government has form on supporting the mass aerial shooting of horses. I remind members that in 2000 many wild horses were killed by aerial shooting at Guy Fawkes River National Park. The public outrage at that time due to that disgraceful event led to the then Carr Government to place a ban on the aerial killing of horses in New South Wales national parks.

Despite not having the courage to tell the Kosciuszko community of its plans for mass aerial shooting at the last State election, it did not take Labor long to dust off its sorry and sordid legacy. I recall speaking on this

motion in August last year as one of my first contributions in this place. Sadly, the predictions of mass slaughter and devastation of the brumby population has come true when we consider the evidence of the events of last October. I am an equestrian and a lover of horses. I have owned them all my life, but we do not need to be that to be appalled with what we have seen at Kosciuszko National Park.

Quite frankly, the numbers from the October cull are staggering—280 dead horses left to rot, including foals. The brumbies are synonymous with the world famous national park and this is how we celebrate them. What message does that send around the world? The carnage and cruelty is obscene. The fact that some claim aerial shooting is being undertaken in the interests of animal welfare is absurd. The National Parks and Wildlife Service needs to be reined in. It might be good to see the RSPCA take a greater interest in this matter. I am aware that the RSPCA received a complaint that dead brumbies—aerial culled at Kosciuszko National Park this month—were found with gunshot wounds outside the recommended target areas designed to limit their suffering.

I have always accepted that the environmental consequences of the brumbies need to be considered, and there is a role for passive trapping and fertility control. Let us hear more from the Government on real solutions, such as further trapping, rehoming and a genuine and truly independent audit of the current brumby numbers in the park. Being able to have a fair dinkum conversation concerning the actual numbers of brumbies at Kosciuszko would be a good start. I fear, however, that what we see right now when it comes to the brumbies is about more than just the protection of Kosciuszko National Park. [*Time expired.*]

The Hon. JOHN RUDDICK (20:10): I am torn on this issue but I will support the motion. I am torn because I believe the brumbies are increasing the risk of extinction of native animals. Humans are part of the ecosystem but, because we are so brainy, we have amassed enormous power over all other species. That is, on balance, a great thing. Human domination of the planet is a relatively recent development. We only became dominant around 20,000 years ago. Prior to that, giant felines roamed the world and our ancestors lived in constant fear of them. But around a million years ago our extraordinary brains gave us the skill to create fire, and around 100,000 years ago the Homo sapiens and the dogs teamed up to overcome the dominance of the felines. The dogs became our best friends by being incredibly loyal, sensing danger and alerting us.

Human domination is the greatest thing that has ever happened to this planet. There have been around five mass extinction events in the past half a billion years, and we can be certain that one will happen again. Only the brainy Homo sapiens have the ability to foresee a catastrophe in advance and do our best to prevent it. We could, for example, send a few nukes into space and divert a mass extinction asteroid off course. The rest of the living world lacks the intelligence to be thankful to humans but, nevertheless, they should be. We are so awesomely powerful that we obviously have a moral obligation to prevent avoidable suffering to other life forms—animals feel emotional and physical pain.

Good people want to minimise the suffering of other intelligent beings. As Australians, we have an important obligation to exert ourselves and prevent the extinction of Australian native species. All living things today are the product of four billion years of successful reproduction and deserve the right to continue to exist. I accept that feral animals, like brumbies, in the Australian bush make it harder for our native species to survive for millennia to come. However, I support the motion because I also believe that highly intelligent animals like brumbies must be treated with a degree of respect. Intelligent animals have close social bonds with their family and complex emotional reactions. We cannot understand their method of communication. They are, from our human point of view, voiceless. But they are clearly intelligent.

I want all feral animals removed from the Australian bush. I wish our environmental activists had spent their efforts addressing this issue and not being diverted into hocus-pocus environmentalism around non-existent global warming. I support the motion, but I vigorously support efforts to remove feral animals in a humane manner. Contraceptive darts are a promising technology that is still under development, but I hope it will become a solution. I will change my mind on this matter if the contraceptive dart technology does not live up to its promise in the coming years.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:13): The Government is happy to support paragraphs (1) and (2) of the Opposition amendment but will not support paragraphs (3) and (4). I request that the questions on the amendment be put separately. I do not know what has happened to the Liberal Party in relation to the motion. I worked in opposition for many years with former environment Ministers Mark Speakman, Matt Kean and Rob Stokes, who said that they were going to deal with the horses in the park. Matt Kean managed to make the deal with John Barilaro that allowed the horse management plan to be put in place to reduce the numbers. The reality is that we are not able to reduce the numbers, and other animals are in danger as a result.

I do not know how the Opposition is moving an amendment and supporting the motion. I would expect that from The Nationals members, because they have been all over the shop. They do not actually know what they

are doing. But I do not know what Liberal members are doing. They say that they support Kosciuszko National Park and dealing with a problem that no-one likes, but they ignored it for 12 years and made few attempts to try to deal with it. This Government has had to make the hard decisions on the matter and has conducted extensive consultation on it, with 11,000 submissions received and 82 per cent in favour of culling. I have been before every parliamentary committee to explain all of this. We have had experts come in to talk about the counts and we have also—

The Hon. Wes Fang: Point of order—

The Hon. PENNY SHARPE: Are you really going to interrupt me?

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I will hear the point of order.

The Hon. Wes Fang: The Minister is not speaking to the amendment. I ask you to draw her back to that.

The Hon. PENNY SHARPE: The Liberal Party has been extremely disappointing on this matter, but its members do not want to hear it. It is not easy, but we have to do it. I make two more points about animal welfare. Culling a horse must be done with animal welfare as the number one priority, and that is exactly what the operating procedures do. In relation to allegations about the referral to the RSPCA, it will be investigated, as it probably should be. I am confident that the National Parks and Wildlife Service has followed the standing operating procedures, and I am confident that the culling of horses in recent weeks was done as quickly and humanely as possible. I make a final point about fertility control. Once the numbers are down to 3,000, we have committed to trialling a range of options, including rehoming and fertility control. That is part of the plan. We cannot do that with the population as it is. Paragraphs (1) and (2) of the amendment are fine, but paragraphs (3) and (4) are not fine. I wonder what has happened to the Liberal Party.

The Hon. EMMA HURST (20:16): In reply: I thank the Leader of the Government, the Hon. Wes Fang, the Hon. Rachel Merton and the Hon. John Ruddick for their contributions. I reiterate some aspects that were raised prior to and also during the inquiry. The first is that this culling is occurring during foaling season. Helicopters are chasing down family groups and splitting them up. We know that shooting operations during foaling season will cause foals to be split off and then, presumably, be either predated or starved to death. The sight of young foals being left to die with bullet wounds is horrific, and that is one of the reasons why the community is so distressed about this.

The second is the big question around the number of brumbies and the flawed methodology that has come under extreme scrutiny throughout this process. I note that the Opposition amendment concerns that flawed methodology, and I appreciate that. That is an important point. We need to make sure that the methodology is solid so that we know exactly how many brumbies there are. If there are a large number of brumbies—and I say "if"—we also need evidence that they are causing damage, because so far no evidence has been presented to us. I am not denying that there is damage to the park, but no evidence has been presented to us that the damage to the park is caused by the brumbies.

That is possibly one of the most absurd aspects of this debate: No research has been put on the table to say that these animals have caused the environmental damage. When we look at all other aspects of environmental damage to the park, it does not make any scientific sense to suggest that one species of animal is the cause. If it is proven that they are the cause of the damage and that reducing their numbers would improve the environmental impacts, and if it is proven that there are large numbers, then we can start to look at alternatives. We now have something called an oocyte growth factor, which is being used in the United States and is a one-dart system for fertility control, if those other factors are met. I do not oppose the Opposition's amendment. A pause is the minimum that this House should support, given the evidence that has come forward.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Emma Hurst has moved a motion, to which the Hon. Wes Fang has moved an amendment. Under Standing Order 106 (4), a request has been made that the questions on the amendment be put separately. The question is that paragraphs (1) and (2) of the amendment be agreed to.

Paragraphs (1) and (2) of the amendment agreed to.

The PRESIDENT: The question now is that paragraphs (3) and (4) of the amendment be agreed to.

The House divided.

Ayes 15
Noes 20
Majority.....5

AYES

Carter	Latham	Mitchell
Fang (teller)	Maclaren-Jones	Roberts
Farlow	Martin	Ruddick
Farraway (teller)	Merton	Tudehope
Hurst	Mihailuk	Ward

NOES

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

PAIRS

Rath	Houssos
Taylor	Jackson

Paragraphs (3) and (4) of the amendment negatived.

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

Leave granted.

The House divided.

Ayes 9
Noes 20
Majority.....11

AYES

Fang (teller)	Latham	Mitchell
Farraway (teller)	Martin	Roberts
Hurst	Mihailuk	Ruddick

NOES

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

PAIRS

Taylor	Jackson

Motion as amended negatived.

Bills

CONSTITUTION AMENDMENT (RIGHTS AND FREEDOMS) BILL 2023

CONSTITUTION AMENDMENT (RIGHTS AND FREEDOMS–REFERENDUM) BILL 2023

Second Reading Debate

Debate resumed from 29 November 2023.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (20:32): On behalf of the Government, I speak in debate on the Constitution Amendment (Rights and Freedoms) Bill 2023 and the Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023. I thank the Hon. John Ruddick for bringing the bills to the House for debate. I recognise his sincere passion for the issue of freedom of expression and the thoughts that he outlined in his second reading speech. I know that his supporters would want to see him progress these bills. However, I indicate at the outset that the Government opposes both bills.

I share a lot of the sentiments that the member shared in his second reading speech about the bedrock importance of freedom of speech to a democratic society. Balancing competing rights between individuals and groups is something that a government must constantly be doing in a thoughtful manner. I know that the member has thought much about these issues, and I welcome that influence in the Chamber. However, I believe that he may have gone too far with these bills, possibly limiting the Parliament's right to legislate on important matters such as consumer protection, defamation, copyright, contempt of court and parliament, secrecy laws, public order, child pornography restrictions, incitement to genocide, hate speech laws, and vilification and discrimination laws. The Government has had advice about potential limitations as a result of these bills. It is for those reasons that the Government chooses to oppose them.

I will outline some of the advice that has been given to the Government. Firstly, the advice to the Government is that the constitution bill is likely to be ineffective to the extent that it purports to entrench matters of policy in the Constitution Act. Only a limited category of laws can be entrenched in the Constitution Act. A law may only be effectively entrenched if it is in respect of the "constitution, powers or procedure of the Parliament". The source of this limitation is section 6 of the Australia Act 1986 (UK) and the Australia Act 1986 (Cth). A law which is in respect of "the constitution of the Parliament" may include a law concerning how many Houses the Parliament has or a law abolishing a House or creating a new House or body that formed part of the Legislature. The proposed amendments in the constitution bill to entrench matters of policy relating freedom of speech, religion and freedom of association are therefore unlikely to be effectively entrenched.

Secondly, in the view of the Government, Parliament cannot and should not fetter its own capacity to legislate on certain policy matters or purport to bind future parliaments. That is the effect of some of the provisions of the bill. The New South Wales Legislature has broad legislative power, subject to the Commonwealth Constitution. Section 5 of the Constitution Act provides the New South Wales Legislature with broad plenary power to make laws for "the peace, welfare, and good government of New South Wales". The constitution bill proposes to significantly limit the capacity of the Legislature to make certain laws. Under the proposal, Parliament would have no capacity to amend or repeal section 8 because the constitution bill purports to provide that it cannot be repealed by an ordinary Act of Parliament. The bill therefore purports to deprive Parliament of part of its law-making powers and proposes that future parliaments are prevented from repealing or amending the provision without a successful referendum.

The third reason that the Government is advised not to support these bills is that there is no precedent in other Australian jurisdictions for the model of rights protection proposed by the constitution bill. The Queensland, Victorian and Australian Capital Territory models of human rights legislation are ordinary Acts of Parliament, rather than being constitutionally entrenched. The model contained in the constitution bill proposes that the Legislature would not have the power to make laws—for example, restricting freedom of speech—without providing for any flexibility on that limitation. The advice given to the Government is that this arguably sits at odds with other existing and legitimate limitations on freedom of speech in New South Wales, such as those contained in the Anti-Discrimination Act 1977 (NSW). I know that the member has strong views on a range of these issues. However, the Government takes the view that, Parliament having come to support that legislation, the Government would not support this future restriction. According to the second reading speech for the constitution bill, the purpose of the bill is:

> … preventing this or future New South Wales governments from enacting legislation that would curtail open expression.

As I have indicated, there are many limitations on the right to free speech. Some of those important limitations include consumer protection, defamation, copyright, contempt of court and parliament, secrecy laws, public order, child pornography restrictions, incitement to genocide, hate speech laws, and vilification and discrimination laws.

In each of those instances, Parliament has chosen to act in the past, and we say that Parliament may choose to act in future. Such limitations are essential to the maintenance of a harmonious society. They strike a balance between freedom to express political opinions and freedom from, for example, racial vilification that may incite abuse or violence on the basis of race. For those reasons, the Government believes that these bills are not the appropriate way to achieve that goal.

I draw members' attention to the Legislation Review Committee and its report entitled *Legislation Review Digest No. 9/58*, dated 6 February 2024. The committee noted that the express restrictions on the ability of Parliament to make laws may have the effect of undermining the system of representative democracy in New South Wales. I draw the attention of members to those provisions in particular. Having made those comments, I am certainly encouraged that the member is bringing such thought-provoking bills before the Parliament. The Government may well be more open to other matters he raises in his campaign for freedom. I look forward to those future contributions.

The Hon. SUSAN CARTER (20:39): Free speech is one of our most important rights, and one that we should always be anxious to protect—as is the right to worship freely and to associate together. There is much in the spirit of these pieces of legislation that is commendable. The devil, as always, is in the detail. I indicate that, on balance, the Opposition opposes the constitutional amendment bill and the referendum bill, which seeks to entrench that amendment. There are many different approaches to how we best protect rights, and our opposition to these particular bills should not be construed as opposition to the protection of the rights they enumerate.

The rights to believe freely and worship as we wish, to speak freely, to have a free press and to assemble peacefully are all important freedoms that we continue to enjoy as free citizens of a free and democratic society—as, of course, is the continuing right to petition Parliament. I note in passing that that right is currently being exercised by constituents of mine and of the Hon. John Ruddick, and I invite all members to visit the Legislative Council petitions page and sign the petition protesting the cuts to palliative care. To return to the subject matter of these bills, one of their challenges is that they assume that the only threats to our freedoms come from legislation and that, by limiting the power of the Legislature, those freedoms will be protected. Of course, we know that is not the case. Indeed, one of the great strengths of the common law is the way in which it has served as a flexible and vigorous defender of our rights through the centuries and fended off attacks on our liberties from the Executive and Legislature alike.

Any legislative statement of our rights, constitutional or otherwise, limits the ability of the common law to serve as a protector of our rights. While I have great sympathy with the intention of the Hon. John Ruddick—that if we are to list those rights in legislation, they should be protected from meddling by future parliaments—such entrenchment brings its own problems. American citizens, fresh from a revolutionary war, had one view of what was meant by the right to bear arms. That looks very different in American streets, schools and colleges today, but it is still entrenched in their constitution. Ossifying rights does not always protect them or protect the people they were designed to protect.

Indeed, legislating rights does not always achieve the desired outcome or give a primacy to the rights that have been legislated. Victoria has its own a charter of rights, which the member referred to. That State's tremendous statement of rights in legislation was overridden in the case of *Clubb v Edwards*, in which Clubb, a sidewalk abortion counsellor, was convicted after handing a leaflet to a young woman approaching a clinic that could have easily been refused. She was convicted because an additional right in the legislation that imposed that prohibition was seen to override the right in the charter of rights. We get into very complex territory when we start legislating and thinking about a hierarchy of rights. That was despite the fact that Victoria has a very elegant statement of freedom of expression as a human right in its charter of rights.

One of the issues of rights in that example and in a number of the other examples that have been given today is the difficulty of balancing rights. I believe strongly in the right to freedom of speech, but there are limits on what I can say. There are limits about what I can say about goods that I might sell to protect others. There are limits on what images I can show, because they may well be abusive. There are limits on whether I can say something about another person's character, because that would be defamatory. Those are all limits that we accept as part of living together in society with each other. As John Donne once said, no man is an island. We do not have a complete command of rights at our disposal; we need to think about how they relate to each other.

The member has put forward a very good statement of rights, but it cannot be seen as an absolute statement in a society where we live with each other. In fact, tomorrow the House will debate the Conversion Practices Ban Bill. Many people see some of the provisions in that bill as directly impacting on religious freedom, yet we will decide as a Parliament where the balance is between protections thought to be necessary and limitations on the freedom to express religious beliefs. Such decisions are very difficult and must be approached very thoughtfully and carefully, but they need to be made if we are to live together as members of a society, especially a pluralist society, where many different views need to be balanced.

To legislate less legislation is somewhat paradoxical. But it is perhaps what we need to do to live together well. These bills are commendable but in some ways misunderstand the nature of a democratic society and its processes. There simply are no absolute rights that trump all others. If I was going to attempt to suggest one, I would suggest it is the right to be respected by other people, because the respect that we offer to one person necessarily involves in some way a voluntary limitation of our own rights of expression in some circumstances. To declare that there are absolute rights is, I believe, to remove freedom. Democratic processes are a constant evaluation, re-evaluation and rebalancing of rights and freedoms.

It is important that we all remain committed to that process and engaged in dialogue and that, in our constant restatement of the importance of those rights, we recognise and support the true source of them. They are never given to us by a government in a constitution, although they may be recognised by a government in a constitution. They are never given to us by a parliament in law, although they may be recognised by a parliament in law. The true nature of our rights is that we are free citizens of a free society living together. That is the best guarantee of our freedom of rights.

The Hon. MARK LATHAM (20:46): I support the Constitution Amendment (Rights and Freedoms) Bill 2023 and the Constitution Amendment (Rights and Freedoms–Referendum) Bill 2023 because I believe that in the current environment anything that furthers free speech in our society is worth supporting. Restrictions on free speech have become a dreadful thing in politics. Ironically, one of the prophets of this was the great David Bowie who, when asked 25 years ago about the advent of the internet, forecasted that it would probably lead to the political spectrum breaking into five or six different subgroups, each of them protective of themselves and each of them trying to win the argument not by persuasion and the strength of their ideas but by closing down the other side. He forecasted the rise of cancel culture. If a rocker could see it in the late 1990s, why has the political system been so slow to respond?

Unfortunately, that has become the nature of modern political debate. You can identify five or six distinctive groups clustered around social media, the internet and other forums, where they defend each other and dogmatically support their own views, entrenched not by reason or argument but just by habit, and their way of triumphing in politics is not necessarily to advance ideas or seek to persuade but to use cancel culture as a way of rubbing out the other side. Cancel culture happens in a range of ways. It happens in the media. It can happen, increasingly, in parliamentary forums. And it happens through lawfare—the habit of taking people to courts or tribunals, running them up against legal costs and trying to intimidate them into silence.

All of those things are corrosive of the thing we call democracy. In relation to the argument about disengagement from politics, I have found that so many people who were active are now saying, "Look, it's just not worth my bother. I could lose my job for expressing my honest opinion. It is not malicious or harmful to others necessarily, but it is my opinion. But I know certain things can't be said in the workplace and I'll lose my job." Or people are saying, "I don't want my kids to suffer at school because their parent has articulated a certain point of view", or "I don't want to be isolated in a social grouping or a sporting club or a community organisation for the view that I hold."

Unfortunately, we all thought 30 years ago the internet—invented by Al Gore and others—would be a force for enlightenment and open learning, but in today's society it has closed down debate and led to this clustering of groups and the rise of cancel culture. There has not been freedom of speech. I believe adopting the equivalent of the American First Amendment is necessary. Who would have thought that in New South Wales one would need to promote an idea like this, just for people to have their say and not to be fearful in their workplace or scared of articulating a point of view?

Self-evidently, so much of the offence that is taken is confected. Ultimately, taking offence is a choice the individual makes. In the political realm today it is common practice, let us say it, on the left of centre more than any other place that if one takes the offence—confected, manufactured and artificial—one knows that one can rub out the other side and have a freer run. In today's politics this happens all the time, and just about everywhere. Even the policing we get in this building about what can be said in the Parliament, in the age of Broderick and the like, is a sign of just how far it has gone.

These protections are necessary. I admire and thank the Hon. John Ruddick for taking this initiative. I very much enjoyed his second reading speech, in which he quoted Socrates. This issue goes back a long way. Socrates said the pagan gods did not really exist. Who today would argue otherwise, but he paid the price of his life at that time. The honourable member outlined the history of that in effective style. Unfortunately, in today's politics Socrates is more common than ever. Ancient Greece was a limited democracy—these were relatively basic societies—but that example has become more common than ever.

The problem of political disengagement is such that people say, "Why would I bother?" All members around this Chamber must increasingly have people saying to them, "How do you put up with the cancel culture

and the denial of freedom of speech? How do you put up with these attacks, the lawfare and the like? Why would anyone bother?"—and then they tell that to their children. It is no surprise that young people are more apathetic towards politics than ever before. Freedom of speech can no longer be taken as a basic right and can no longer be assumed when one goes into active politics. At a local level, in community organisations, in parliamentary politics and organised party politics, it can no longer be taken as a basic right. Without the protection of that right, sensible, rational people say, "Why would I bother? Why would I expose myself and my family to the consequences—the loss of jobs, the attacks, the pressure, the financial costs, the litigation? Why would I expose myself to that?"

For all those who lament the problems of our democracy, the answer is simple: Allow people to speak their minds and recognise that so much of what is taken as offence today is a political tactic to close down the other side of politics. The solution is obvious. Where do we go if we do not defend free speech—if we do not solve this curse that is set upon our system? We become less representative, narrower and smaller. We talk about diversity. Diversity apparently applies to one's skin colour, gender, sexuality and physical shape—but not to one's thinking. Diversity of opinion is becoming so rare now that this isolation of individuals with a contrarian point of view—or something they sincerely believe that is regarded as offensive—sees them drop out of politics. The system becomes so narrow that we just get these stereotypical views and subgroups that form, protecting themselves. None of it is healthy.

The other thing that happens—thankfully not yet in the Legislative Council—is that one loses the habit in politics of listening to a contrary point of view and learning from it. Thankfully in this Chamber, because of the diversity of political groupings and the fact that no one group controls the numbers all the time—the Government has worked out that some of the time, with the Hon. Ben Franklin in the chair, it can win 21-20, and on it goes—especially on private members' day, one hears things that one would not normally hear in one's little subgroup. I do not want to give The Greens or the Labor left or the Animal Justice Party or our old cannabis mate too much credit, but we do hear interpretations and views that at least make us think and challenge our own point of view—"Am I automatically correct in thinking a certain way?" Obviously I had a contrary point of view on the debate about the so-called Wiradjuri wars—

The Hon. Anthony D'Adam: Surely not self-doubt from Latham?

The Hon. MARK LATHAM: Don't you talk too much. You could learn a lot by listening to people, particularly me. Be quiet. Do not take any points of order. Lift yourself.

The Hon. Anthony D'Adam: I've been listening way too long, Mark. I'm the only person in this entire place who owns all your books!

The Hon. MARK LATHAM: As a disciple of Bob Gould, all the Hon. Anthony D'Adam did was read books—but did he learn anything from it? That is the problem. He needs to lift himself above his Henry Kissinger ambitions of solving the problems in the Middle East and at least understand—

The Hon. Anthony D'Adam: I just watched you go from the centre to the margins in your political career.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order!

The Hon. MARK LATHAM: The things that one has to endure to express one's freedom of speech! Fancy being badgered by D'Adam. I was making the serious point that in this Chamber the debate on the so-called Wiradjuri wars was an example of where members hear a different point of view. One is a fool and obtuse if one does not listen to it and think, "Can I reflect on that? Was what I had to say necessarily accurate?" I know learning is beyond the Hon. Anthony D'Adam and it is a habit he has got out of, but members can learn from other people and at least challenge themselves to come to a higher point of knowledge and understanding.

I make these points in support of the bills. I hope democracy can revive itself. In the sort of society we have become I always say to my children that I feel lucky as an Australian to have lived through the 1990s, when the country was at its peak: open, prosperous, forward-looking. We did not have people running around confecting offence and closing down the views of others. What was wrong with Australia that it needed a revolution of identity politics and cancel culture at that time? I do not know but it is set upon us. It is wrong, it should be reversed, and hopefully these bills will do something in that regard.

The Hon. JOHN RUDDICK (20:56): In reply: I thank the Hon. John Graham and the Hon. Susan Carter for their contributions to debate on the Constitution Amendment (Rights and Freedoms) Bill 2023 and the Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023. I was honoured to have the great Hon. Mark Latham so enthusiastically support these bills. To recap, the Constitution Amendment (Rights and Freedoms) Bill 2023 is about trying to restrict the power of this Chamber and this Parliament to prohibit the citizens of New South Wales from having open expression. If it had passed, members would have entrenched it

in the Constitution and the Parliament would have been barred from passing laws that prevent the right to free speech, free association of religion and freedom of association in general.

Obviously, the bill is inspired by the US First Amendment. The United States has its critics, but nobody can deny the extraordinary dynamism and creativity that has come out of that nation because of its protection of great freedoms. It brought in its Constitution in about 1789. About 80 per cent of the world's constitutions are based on the United States Constitution, including the Australian Constitution. Even Ho Chi Minh wrote his silly constitution based largely on the American one—okay, it pretended to be. That is how good it was. A couple of years after the United States brought in the Constitution, the equivalent of the Libertarians at the time—people like Thomas Jefferson—said, "We need to bring in a Bill of Rights. We need to put some limits on this new Federal body." They brought in the 10 amendments to the Constitution, known as the Bill of Rights. The very first of those amendments is the protection of free speech. Without free speech, we do not have any other freedoms.

This bill very much wants to limit the power of this Government, the politicians and the bureaucrats. When there is free speech there will be a bit of rough and tumble, but we know that, long-term, it does good things. Free speech can be uncomfortable. The Hon. John Graham said there are complications around defamation, pornography, copyright and lots of other things. Guess what, Minister? We have had the best jurists in the world for the past 250 years, called the Supreme Court of the United States, wrestling with all these cases in depth. Over a very long time, the finest legal minds in the world have wrestled with these issues. The Australian courts often rely on our fellow common-law jurisdiction—

The Hon. Daniel Mookhey: That's not true. Have you read these judgements? They're nowhere near as well written as ours.

The Hon. JOHN RUDDICK: Maybe that is true, maybe it is not—but it is irrelevant. The United States Supreme Court has wrestled with these questions and come to a good balance that protects the right to free speech. This is about the politicians and the bureaucrats wanting to have more power over the people. That is part of the reasons why I wanted to support it. I believe that we have to toughen up. I suspect that this constitutional amendment will fail tonight, but I do believe that future generations will look back at this House and consider those that voted against the bills as villains because we will one day have the constitutional right to free speech. The Hon. Susan Carter is representing the party of Robert Menzies, and I am sorry to say, Susan—

The Hon. Susan Carter: Carrying the torch.

The Hon. JOHN RUDDICK: I was about to say Robert Menzies would be appalled by you—not just you, but your whole party. He would be absolutely appalled. You put us into a trillion dollars' worth of debt with COVID.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The member will direct his comments through the Chair.

The Hon. JOHN RUDDICK: Today the so-called party of Robert Menzies is going to say, "No, we don't want to constitutionally protect the right to free speech." Members of the Liberal Party have not read what Menzies was doing in the 1940s. He was a free speech absolutist. He would be appalled. If Robert Menzies was alive today—

The Hon. Mark Latham: He wanted to ban the commies.

The Hon. JOHN RUDDICK: That is an exception. Nobody is perfect. If the great Robert Menzies was alive today, he would be a member of the Libertarian Party and not a member of the Liberal Party. That is just another example of the once-great Liberal Party backsliding on its fine founding principles. The people of New South Wales will know that today the Liberal Party has betrayed the belief in free speech. I accept that the bills will probably be defeated tonight, but I put the Parliament on notice that this is just the beginning. The Libertarian Party will continue to fight for the constitutional protection of free speech.

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

The House divided.

Ayes 7
Noes 30
Majority.....23

AYES

Banasiak	Latham	Roberts
Borsak	Mihailuk	Ruddick (teller)

AYES

Buckingham (teller)

NOES

Boyd	Graham	Mookhey
Buttigieg	Higginson	Moriarty
Carter	Hurst	Munro
Cohn	Kaine	Murphy
D'Adam	Lawrence	Nanva (teller)
Donnelly	MacDonald	Primrose
Faehrmann	Maclaren-Jones	Sharpe
Fang (teller)	Martin	Suvaal
Farlow	Merton	Tudehope
Farraway	Mitchell	Ward

Motion negatived.

Motions

BROKEN HILL RESIDENTIAL REHABILITATION FACILITIES

Ms CATE FAEHRMANN (21:09): I seek leave to amend private members' business item No. 824 for today of which I have given notice by:

(1) Inserting after paragraph (2) (c):

(d) as a part of the ice inquiry funding allocation, the Centre for Alcohol and Other Drugs (COAD) is planning to analyse the current funding landscape, suitability of existing service delivery providers, unmet treatment demand and funding models.

(2) Omitting paragraph (3) and inserting instead:

(3) That this House calls on the Government to fully assess, both qualitatively and quantitatively, the service needs of the community and to scale up the provision of alcohol and other drug services based on identified unmet treatment demand, while understanding that an appropriately sized, dedicated and largely community based residential rehabilitation and detoxification facility should form an important part of any response in consultation with the following agencies:

(a) the Broken Hill Alcohol and Other Drug Detoxification and Rehabilitation Clinic Steering Committee;

(b) other relevant stakeholders, such as headspace, Horizons of the Outback, the Royal Flying Doctor Service, local clinicians, counsellors and community nurses; and

(c) the Centre for Alcohol and other Drugs and the local health district.

Leave not granted.

Ms CATE FAEHRMANN: I move:

(1) That this House notes that:

(a) the Broken Hill local government area has the fifth highest rate of alcohol-attributable deaths amongst all 128 local government areas and is 20 per cent higher than that of New South Wales overall, while the rate of drug offences, in total, is 80 per cent higher than for New South Wales overall;

(b) over half of all people seeking drug and alcohol treatment services indicate that a lack of available services in their area is the main barrier to them accessing treatment; and

(c) the nearest residential detoxification and rehabilitation facilities to Broken Hill are at least 800 kilometres away, meaning those seeking treatment, including many First Nations people, face significant hurdles even before treatment can begin.

(2) That this House further notes that:

(a) the community of Broken Hill has, for many years, campaigned for the establishment of a residential rehabilitation and detoxification facility in their city;

(b) in June 2023 the Broken Hill Alcohol and Other Drug Detoxification and Rehabilitation Clinic Steering Committee submitted a proposal for a community withdrawal and residential rehabilitation facility for that city; and

(c) in September 2022, as part of its final response to the Special Commission of Inquiry into the Drug 'Ice', the Government announced that $358 million of funding would be earmarked to address treatment gaps and improve health social outcomes, with $146 million allocated across 2023-24 to deliver a range of alcohol and other drug programs and services.

(3) That this House calls on the Government to fully fund a facility along the lines of that proposed by the Broken Hill Alcohol and Other Drug Detoxification and Rehabilitation Clinic Steering Committee so that those in Broken Hill and surrounds have access to the treatment options that all residents of this State deserve.

I understand that the motion will be amended later. This motion relates to the dire need for a rehabilitation centre for the people of Broken Hill, who have lobbied for many years for better local facilities and treatment options for alcohol and other drugs. According to recent figures from the National Drug Strategy Household survey, Broken Hill and its surrounds and areas of outer regional, remote and very remote Australia are classified as having higher risks of risky alcohol consumption. I have spoken with the community and their supporters about the need for many years to get a rehabilitation and residential detoxification centre in Broken Hill. As it stands the nearest facilities are some 800 or more kilometres away, which is a very significant barrier. The motion before the House has come from the community, which has lobbied the current health Minister, the former Government's regional health Minister and the department on this issue.

Back in November 2022 I understand community members put forward the comprehensive Far West alcohol and other drug residential detoxification and rehabilitation service proposal. In June 2023 they wrote to Premier Chris Minns and health Minister Ryan Park. As I understand it, they have not had a considered response to their proposal. This proposal simply calls on the Government to work with every stakeholder in this space in Broken Hill, do the research and support more funding, more services and, ideally, what the community is after, which is a rehabilitation and detoxification service in Broken Hill itself, not 800 kilometres away in Dubbo. I commend the motion, which hopefully will be amended, to the House.

The Hon. STEPHEN LAWRENCE (21:14): I lead for the Government in debate on the motion and indicate that I will move the amendment proposed earlier by Ms Cate Faehrmann for which leave was not granted. I move that the motion be amended by:

(1) Inserting after paragraph (2) (c):

(d) as a part of the ice inquiry funding allocation, the Centre for Alcohol and Other Drugs is planning to analyse the current funding landscape, suitability of existing service delivery providers, unmet treatment demand and funding models.

(2) Omitting paragraph (3) and inserting instead:

(3) That this House calls on the Government to fully assess, both qualitatively and quantitatively, the service needs of the community and to scale up the provision of alcohol and other drug services based on identified unmet treatment demand, while understanding that an appropriately sized, dedicated and largely community-based residential rehabilitation and detoxification facility should form an important part of any response in consultation with the following agencies:

(a) the Broken Hill Alcohol and Other Drug Detoxification and Rehabilitation Clinic Steering Committee;

(b) other relevant stakeholders, such as headspace, Horizons of the Outback, the Royal Flying Doctor Service, local clinicians, counsellors and community nurses; and

(c) the Centre for Alcohol and Other Drugs and the local health district.

I am advised that the Minister for Health, and Minister for Regional Health visited Broken Hill in November last year. During the visit he discussed the need for drug and alcohol rehabilitation services in the region. It needs to be said that this Government has done more for drug and alcohol services in under a year than the previous Government managed to do in 12 years. A significant part of that achievement has been the distribution and allocation of the $500 million in funding from the ice inquiry, which has been distributed across all local health districts and prioritises new community and residential rehabilitation centres and support hubs.

As part of that funding, the Far West Local Health District has been funded to scale up services in the local area for an integrated model of care, including ambulatory detox and a focus on homeless people, which are all services that have had their funding allocated and will be rolled out. I indicate that Mission Australia is also providing day rehabilitation in Broken Hill for young people aged 12 to 17 and for young adults aged 18 to 24. In conclusion, I commend the good work of the community of Broken Hill. I have had some contact with the people involved in the campaign for these important services.

The Hon. SARAH MITCHELL (21:17): The Opposition supports the motion as amended by the Hon. Stephen Lawrence. It is very clear to members on this side of the House that high quality drug and alcohol rehabilitation services are needed in rural and remote communities, particularly more remote communities. When those services are not available locally, it presents a raft of challenges. This position was also backed by a previous Government inquiry. As the motion talks about, the Coalition announced a landmark half a billion dollar investment aimed at breaking the cycling of drug use in response to the Special Commission of Inquiry into the Drug 'Ice'. A big part of that four-year, $500 million investment was for a range of health rehabilitation services and justice initiatives.

It is important that these facilities are in the more remote parts of the State. Obviously, Broken Hill is an interesting city. It has quite a big population, but it is isolated from rest of the State. Drug and alcohol addiction has devastating consequences, the impacts of which are only amplified in rural and regional communities. It is important that residents in those communities get the support they need in their rehab journey. It is hard to have much success when people are being shipped literally hundreds of kilometres away from their community to access these services. I have heard that residents from Broken Hill are going to places like Dubbo, Orange, Moree and Mildura to seek treatment. If there is to be a local clinic in Broken Hill that can deliver trauma-informed care, which the Opposition thinks should happen, then that will better serve the community.

If done correctly and funded appropriately, a rehab facility can also help to stop the relationship between drug and alcohol addiction and the criminal justice system. It is better to invest in these services. If people can get the support that they need closer to home, overwhelmingly they get a better outcome. One of the challenges now is that when a fit-for-purpose facility is not nearby, people potentially do not seek treatment and might find themselves incarcerated while trying to detox. They are multifaceted and complex issues. Sometimes they can compound additional challenges like assault, theft, domestic violence, mental health issues and suicide. Having the right support services where people need them in communities is very important. Not having access to treatment and support can be a significant barrier to recovery for many people. That is why we are happy to support the motion.

The Hon. STEPHEN LAWRENCE (21:20): Under Standing Order 92, I clarify my earlier contribution. I confirm that the amendment I moved is the same one that Ms Cate Faehrmann sought to move earlier, in respect to which leave was not granted.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Ms Cate Faehrmann has moved a motion, to which the Hon. Stephen Lawrence has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

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

Motion as amended agreed to.

SCHOOLS AND POLITICAL NEUTRALITY

The Hon. SARAH MITCHELL (21:22): On behalf of the Hon. Rachel Merton: I move:

(1) That this House notes that:

(a) as part of the NSW Department of Education's Code of Conduct, teachers are expected to be politically neutral during class, on school grounds or anytime they identify themselves as a New South Wales public school teacher; and

(b) political activities must not be organised or attended by teachers during school hours or on school premises.

(2) That this House recognises the importance of political neutrality in schools.

(3) That this House condemns coordinated efforts to bring politics into the classroom.

The Hon. RACHEL MERTON (21:23): This motion should not need to be moved; it should go without saying that politics and political protest should be kept out of the classroom. Indeed, the Deputy Premier confirmed that was true in the recent budget estimates hearings. She said that teachers must abide by the code of conduct. The NSW Department of Education Code of Conduct clearly mandates that teachers must maintain political neutrality during class, on school grounds or at any time that they identify themselves as New South Wales public school teachers. Let us go back to basics and acknowledge the core responsibility of our education system, which is to provide a balanced, unbiased and comprehensive learning environment. Schools are sanctuaries of learning and development. They are places where young minds come to explore, understand and form their own views of the world. It is imperative that this environment remains unmarred by the political bias of those in positions of authority.

This is not a matter of limiting freedom of expression but preserving the integrity of our educational institution. Yet, despite the education Minister calling for teachers to abide by the code of conduct, and the code of conduct clearly existing, it is seemingly ignored and its rules are not enforced. Consider the recent activities of groups like Teachers for Palestine NSW, who have been openly engaged in political advocacy and organising protests. While individuals certainly have the right to their political beliefs and to engage in political activities in their personal time, promoting such activities in their professional role as educators crosses the line. It risks the intrusion of political agendas into spaces that should be neutral, impacting the impartiality of the education system.

These protests are making their way into the classroom. This is not a conspiracy or an isolated incident. They are bragging and posting it on social media for the world to see. They are mocking the education Minister and the Department of Education. They are clearly visible in the classroom. Photos are being taken and posted. Classroom infrastructure is seen with posters on blackboards. Instructions are issued from the Teachers for Palestine NSW Instagram page, saying, "All teachers will wear Palestine badges and 'Teachers and school staff for Palestine' t-shirts into the school." I do not think they could be more direct with their intentions if they tried. I am disheartened to see the apparent lack of enforcement by the NSW Department of Education regarding its own code of conduct, which specifically demands political neutrality.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! The member's time has expired.

The Hon. RACHEL MERTON: I seek an extension of time.

Leave granted.

The Hon. RACHEL MERTON: There seems to be a gap between the code of conduct and its enforcement. Parents are left to question the purpose of having such a code if it is not actively upheld. Its existence is meaningless without effective enforcement. It becomes merely a document rather than a professional code of conduct. The failure to enforce these rules not only allows for continued politicalisation in the classroom but also erodes the foundational principles of education. How can educators be expected to follow a code that is not enforced?

The Department of Education must enforce the code of conduct to ensure that political neutrality is preserved and that education remains a pursuit of knowledge, not a platform for political advocacy. I urge this House to recognise the paramount importance of maintaining political neutrality in our schools. We must condemn coordinated efforts to bring politics into the classroom and ensure that our educational institutions remain places of learning and do not become political battlegrounds. Let us commit to protecting the integrity of our education system, safeguarding the right of every child to have an impartial and comprehensive education. Let's just let kids be kids.

The Hon. EMILY SUVAAL (21:28): I lead for the Government in debate on the motion. We do not oppose it.

Ms ABIGAIL BOYD (21:29): There is no such thing as politically neutral education, and we should not ask our teachers to pursue that flawed aim. The act of teaching is inherently political. The Greens advocate for a critical pedagogy that encourages students to critically engage with the material and the world around them. That education involves questioning power structures, societal norms and dominant ideologies. We want to move away from schools as job factories, churning out drones that have been taught the rhythms and directions of a capitalist workday in factories or office buildings.

Education should not be simply about transmitting knowledge but should also aim to transform students' ways of thinking and being. That requires creating a classroom environment where students feel empowered and liberated to challenge conventional thinking and existing systems of oppression. Similarly, education should recognise the intersectionality of identities in education, such as race, gender, class and sexuality. It is through understanding those intersections that we can create inclusive and equitable learning environments. We want teachers to be active citizens, engaging with the world around them and bringing a materialist understanding to the events of the day. Teachers and educators can help guide the development of their students by helping them to critically analyse the news, media, literature and other cultural artefacts.

The motion has been moved in bad faith as an attempt to attack the legitimate political views of staunch union members expressing commonsense views of the world around them, of teachers answering honestly the questions being asked of them and of teachers simply condemning a genocide. What kind of an education are we possibly offering to students if what we are asking of educators is so removed from reality that they would be forbidden from condemning a genocide unfolding before our very eyes for the whole world to see? To hold that position would be a political act in itself. The act of omission, censoring and silencing is in itself a political act. It is time for the Labor Government to stand up and be proud of its teachers and stop allowing them to be used as a political punching bag.

The Hon. ANTHONY D'ADAM (21:31): The whole premise of the motion is fundamentally flawed. I concur with the comments made by Ms Abigail Boyd that teaching is inherently political and what happens in the classroom is inherently political. The consequences of adopting the framework advocated for by the Hon. Rachel Merton would be to put a chill over the discussion that occurs in classrooms and to make teachers fearful of dealing with controversial issues. The reality is that in our classes and classrooms controversial issues often are considered, and rightfully so. There is controversy in society about climate change, about how we deal with our Indigenous brothers and sisters, and about the degree of racism in our society.

Controversial matters should all be discussed in classrooms if we are raising students to be critical and to think about the world. That is part of the learning process and we should embrace it, not discourage it with the suggestion that teachers should be disciplined if they traverse those kinds of controversial issues. The idea that teachers are advocating in a partisan way for the Labor Party or the Liberal Party is nonsense. What constitutes a political issue is in the eye of the beholder. We would not say to Christian schools or other religious schools that they should not talk about values or other issues in those schools. Why should we apply a different standard for public education?

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

Motion agreed to.

Committees

PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE

Reference

The Hon. JEREMY BUCKINGHAM (21:34): I move:

(1) That Portfolio Committee No. 1 - Premier and Finance inquire into and report on the impact of the regulatory framework for cannabis in New South Wales, including:

(a) the historical development and implementation of the regulatory framework for cannabis;

(b) the socio-economic impact of the current regulatory framework for cannabis;

(c) the historical, current and future financial cost of cannabis prohibition to the Government and the economy;

(d) the impact of the current regulatory framework for cannabis on young people, the health system, personal health, employment, road safety, crime and the criminal justice system;

(e) the impact of the regulatory framework for cannabis on Aboriginal, LGBTIQA+, regional, multicultural and lower socio-economic communities;

(f) alternative approaches to the regulatory framework for cannabis in other jurisdictions;

(g) the provisions of the Drug Misuse and Trafficking Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023; and

(h) any other related matter.

(2) That the committee report by 26 September 2024.

An inquiry into cannabis prohibition would be a first for this State, and it is long overdue. It is time for the State to look at the true socio-economic cost of cannabis prohibition and the benefits of cannabis. It is the job of the House to be a House of review, and it is the job of the committee. Cannabis is an issue that traverses so many parts of our community, from health, law enforcement and youth to the elderly, the criminal justice system, the judiciary and Treasury itself. During the recent budget estimates I asked the Premier about the cost of the war on drugs and he said it runs into billions of dollars. I also asked the Treasurer whether he agreed and he said that the prohibition on drugs, cannabis included, is costing the Government billions.

I made the point during that hearing that illicit cannabis, in the words of some of our most senior police, has been the rocket fuel in some of the State's most terrible organised crime groupings. It is a startup model, in my words, for how some organised crime operations are funded. It is one of the principal reasons that Germany just this month moved to legalise cannabis—because of the impact it is having on the economy and the cost to the Treasury and also the returns it is delivering to organised crime on the black market.

The reference is for an inquiry to look at the historical development and implementation of the regulatory framework for cannabis; the socio-economic impact of the current regulatory framework for cannabis; the historical, current and future financial cost of cannabis prohibition to the Government and the economy; the impact of the current regulatory framework for cannabis on young people, the health system, personal health, employment, road safety, crime and the criminal justice system; and the impact of the regulatory framework for cannabis on Aboriginal, LGBTIQA+, regional, multicultural and lower socio-economic communities. That is a key point for me because regional and rural people are often caught in the gears of cannabis prohibition.

Cannabis prohibition disproportionately impacts minorities like the LGBTIQA+ community, Aboriginal and First Nations people, people from multicultural backgrounds, and regional Australians. There is a reason why the vote for the Legalise Cannabis Party is biggest in the Hunter Valley, the Central Coast, Western Sydney and the Mid North Coast—they are the lower socio-economic areas and cannabis is considered a working-class drug, so it impacts them more disproportionately. The motion will enable the committee to look into the current framework—the cost and the benefit—neutrally. I have a view, but the committee will work in an unbiased way.

This inquiry is long overdue and it is timely as we head towards a possible drug summit that I understand will happen this year, as announced by the Government in the lead-up to the election. This committee is the best committee to look at it because—

Ms Sue Higginson: It has such a good chair.

The Hon. JEREMY BUCKINGHAM: That is right. It is an excellent committee. But it is also because the Premier has said that the prohibition and the war on drugs is costing our Treasury billions. We need a whole-of-government response to the issue. It is an opportunity for us to assess the cost and benefit, and look at alternatives to a regime relating to cannabis that has been in place in this State for almost 100 years. I commend the motion to the House.

The Hon. DANIEL MOOKHEY (Treasurer) (21:40): The New South Wales Government does not oppose the motion. A strong evidence base and expert scrutiny is crucial to the development of sound policy. The New South Wales Government does not oppose any opportunity to hear from experts with respect to the regulatory framework for cannabis. The Government has been clear about its intention to host a drug summit since long before the last election. The Government will hold a drug summit in its first term to bring together health and medical experts, police, drug user organisations, families and other stakeholders to build consensus on the way this State deals with drug use and misuse. It has been more than 20 years since the last drug summit. Terms of reference will be released in due course. While the terms of reference for the summit are still being developed, we will take a pragmatic and evidence-based approach to drug policy following on from the summit. That includes cannabis regulation.

New South Wales currently has a detailed regulatory and policy framework with respect to cannabis. Under the Drug Misuse and Trafficking Act 1985, the possession, use and cultivation of prohibited drugs, which includes cannabis, is illegal. An enforcement tool, available to New South Wales police in certain circumstances, is the Cannabis Cautioning Scheme. The scheme was developed in response to the 1999 New South Wales Drug Summit finding that arresting people for minor drug offences is not always an effective response. A person can only be cautioned twice and cannot be cautioned at all if they have prior convictions for serious drug offences. The New South Wales framework facilitates access to medicinal cannabis. A prescribed cannabis medicine can be accessed through the following pathways: as a registered product on the Australian Register of Therapeutic Goods or as an unregistered therapeutic good accessed via the Special Access Scheme, Authorised Prescriber scheme or a clinical trial.

The Hon. Jeremy Buckingham: Or you could go and see Skinny Dave!

The Hon. DANIEL MOOKHEY: Quit while you're ahead. Despite the detailed policy settings in place, the Government, as always, will keep a continuous watch on the evolving evidence base to guide any policy adjustments. An inquiry in the Parliament as proposed in the motion is one of many ways in which the evidence can be presented to the Government. We look forward to delivering a drug summit and working closely with a range of stakeholders to ensure policy settings are appropriate and effective.

The Hon. SCOTT FARLOW (21:42): The Opposition opposes the motion; however, we see the makeup of the House and where this will lie. We think it would be more appropriate to put this to the Law and Justice Committee, which would be wonderfully chaired by the Hon. Greg Donnelly, and I am sure that would be supported by many members of this Chamber. Opposition members maintain their opposition to the motion of the Hon. Jeremy Buckingham. However, we see that the Government has accepted the referral and note where the numbers lie.

Ms CATE FAEHRMANN (21:43): The Greens support the motion. We support the recommendation for an inquiry by Portfolio Committee No. 1 - Premier and Finance. Let that committee inquire into all things related to cannabis in terms of the regulatory framework for cannabis. If the motion passes, I note that the inquiry will look at the provisions of the 2023 cannabis bill. As the Drug Law Reform and Harm Reduction Spokesperson on behalf of The Greens, I have had a bill before this place looking at a similar model for legalising cannabis. It is about time, frankly, that we had a very far-reaching, thorough and detailed inquiry into cannabis—not just medicinal cannabis and not just into the very unfair laws around driving for medicinal cannabis patients.

It is about time that we looked in detail at what the regulatory framework would look like if we were to have a legal cannabis market. Many other countries have legalised cannabis in a lot of different ways. The terms of reference are very comprehensive and extensive. We will be able to examine exactly what other jurisdictions have done in terms of a legalised cannabis framework and how it is working. It is very new and a lot of countries are doing it very differently. The terms of reference are very broad, very good and very detailed. The Greens support the motion and will hopefully be a participating member of the inquiry.

Speaking of the drug summit, as the member who moved the motion referenced, it is a good time frame to get it done before the drug summit. What is that time frame, though? We do not know. What is the time frame for the committee? It is reporting by 26 September. Does that mean that the Government's promised and much-vaunted drug summit will be after 26 September? Maybe it is all here. Maybe the motion is the news scoop as to when the drug summit will be. Maybe the moving member has knowledge of this over and above anything else. The drug summit potentially is after 26 September. That is the scoop for today. We support the motion.

The Hon. JEREMY BUCKINGHAM (21:46): In reply: I thank members for their warm or tepid endorsement, or whatever it was from—

The Hon. Sarah Mitchell: Let's all be nice.

The Hon. JEREMY BUCKINGHAM: Yes, I know. I think it is long overdue. It is an excellent opportunity, as the Treasurer said, for us to hear from experts, to really drill down into the cost of prohibition, the opportunities arising from ending prohibition and how prohibition on cannabis is impacting crime, the criminal justice system, employment and the like, and also issues around workplace discrimination and roadside drug testing. There is a plethora of issues for us to investigate. It is timely because we are leading into the drug summit and an inquiry report and recommendations can and should be considered by what I think will be a very useful drug summit. I thank the House for its support for what I think will be an excellent inquiry.

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

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. DANIEL MOOKHEY: I move:

That this House do now adjourn.

FEMALE EMPOWERMENT

The Hon. SARAH MITCHELL (21:48): Tonight I talk about three separate phenomena that gripped Australia during this past year: the Taylor Swift Eras Tour, the *Barbie* movie and the Matildas World Cup journey. Underneath the screaming and the glitter, the catchy soundtracks and the sporting heroes, all three of those incredibly iconic moments contain a powerful message about redefining girlhood and reinventing girl power in 2024. First, let's talk about Taylor Swift. For more than two decades she has been the soundtrack to countless people's lives. Her music tackles the universal themes of friendship, love, heartbreak and self-discovery. She writes about her experiences, her vulnerabilities and her triumphs in a very authentic way. This empowers young girls to do the same—to find their authentic selves and express them unapologetically in whatever form that may take.

But, unlike the stereotypical pop princess narrative, Taylor owns her voice. She is a role model for female agency, after famously fighting for ownership of her music. When she was unable to win back the rights to her music, she cleverly re-recorded all the albums she did not own so that she could receive the royalties. She is also undeniably an economic powerhouse. Some might scoff at the idea of a pop star influencing the economy, but we know that the numbers speak for themselves. I note that the Treasurer is in the Chamber—and I am sure that he is a Swiftie.

The Hon. Daniel Mookhey: I am!

The Hon. SARAH MITCHELL: I acknowledge that interjection. The Treasurer confirmed that Taylor injected $136 million into the New South Wales economy during her tour here. I also acknowledge a former member of this House, the Hon. Peter Phelps, who I know is a fan and was at the concert. There is a fabulous picture of him wearing a T-shirt that said, "Over-50 Swiftie". He is still an icon, even though he is no longer a member of this place. As members know, I was fortunate enough to go to the Monday night concert in Sydney, with my eldest daughter, my sister and my niece. I have been to a few concerts over the years, and Taylor, her dancers, her musicians and her support act put on an absolutely incredible performance. The sense of unity within the stadium—literally tens of thousands of people—was one of a warm and inviting community.

There was lots of banter and lots of friendship bracelets traded. I am wearing one today; I mix them up. We have about 40 in our household after the concert. It was the most positive experience. As a mother, to take my daughter to her first big concert, somewhere that we could both sing along and enjoy every word of every song, was a powerful moment. It epitomises what is so fantastic about Taylor Swift, what she does and what she

represents. It is not just catchy music. It is a testament to the power of pop culture, to her ability to generate economic activity and to just being a kick-arse female.

I now turn to the *Barbie* movie. When we look at the new Barbie, gone are the days of unrealistic body proportions and pink everything—although, sometimes pink everything can work. Greta Gerwig's film presents powerful lessons on identity, feminism and capitalism. The movie especially highlighted diversity, with all the different Barbie characters, Barbies of all body types and Barbies portrayed as women of colour, including a president, a physicist, a doctor, a diplomat, a Supreme Court justice, an author, a lawyer and even a Barbie with a Pulitzer Prize. It shows that girls can be strong and intelligent, playful and ambitious—they can do anything that they set their minds to.

None of us will forget Gloria's powerful monologue, which earned America Ferrera her first Oscar nomination. The film quickly became the highest grossing live-action movie globally for a female director, which is an incredible achievement. Ironically, the creator of *Barbie*, Greta Gerwig, and Barbie herself, Australia's own Margot Robbie, were not nominated for Oscars. Of course, we all know that Ken, played by Ryan Gosling, was. While Ryan Gosling is most certainly "Kenough", the irony was not lost on many that the whole premise of the film was manifested on the Oscars stage, showing that the messages of the film are still very much relevant and necessary today.

Finally, I acknowledge the 2023 Women's World Cup, which turned the Matildas into national heroes. Every match sold out, and every news outlet buzzed about the team's progress. We normally only see that kind of adulation for male sports teams. The atmosphere was electric, reaching a fever pitch during the heart-stopping semi-final against England, which was the most watched sporting event in Australian history and the most streamed show of all time. While they ultimately fell short of the trophy, the Matildas' incredible success united the nation. Players became household names. They inspired young girls and women to take up football, challenging the perception of women's sport across Australia.

If we reflect on the magnificent Taylor Swift, the fabulous *Barbie* and the Matildas, what is the link between them all and what does it tell us? It tells us that what is so often dismissed as frivolous, silly or overexcitement is actually a powerful driver of social cohesion in a time when people are more motivated than ever to connect. These cultural moments are not just about entertainment; they are about empowerment. They are a reminder to young girls and women that their voices matter, that their dreams are valid and that they have the power to define themselves on their own terms.

WENTWORTH PARK

The Hon. EMMA HURST (21:53): One of the most dangerous greyhound tracks in Australia sits in the heart of Sydney. Wentworth Park is notorious for causing injury and death to dogs forced to race. Since 1 January this year, 107 greyhounds have been injured at Wentworth Park. That is 107 just this year, just at Wentworth Park, and it is only March. That is a 53 per cent increase in injuries from last year. It means that, on average, five greyhounds are injured at every race meeting. Two dogs have been killed on track. On 17 February Omega Texas, a two-year-old greyhound, fell and shattered both his front legs while racing. The industry vet was brought out to kill him. The whole incident was removed from the official race video. Eleven other dogs were injured on the same day. On 2 March Oceanside, another two-year-old greyhound, fell and fractured their front and back leg while racing. Oceanside was killed on track by the industry vet.

Last year 402 dogs were injured while racing at Wentworth Park. That included two on-track deaths and likely dozens more, following serious injuries. It is only thanks to the tireless work of the Coalition for the Protection of Greyhounds, which monitors all races, that we have data about the number of dogs injured and killed on this track, as the industry quickly removes online evidence and has repeatedly refused to be transparent about deaths and injuries. The previous Government announced that the lease for the racing track would finish in 2027, but now the Labor Government is considering allowing this extraordinarily dangerous track to continue operating. In fact, the Government has said that the dangerous nature of this track is not part of its considerations about whether the renewal of the lease will occur. We are talking about Crown land, so the Government has full control and can choose to allow dogs to continue to suffer and die, or it can make a decision to benefit the local community. It is land that could otherwise be used for community-based activities, enhanced parkland or desperately needed housing.

The community has been planning and calling for Wentworth Park to be converted to open green space to serve the needs of the community. There is no reason for this huge area of land in one of our most densely populated suburbs to be dominated by a racing track. Sport, open spaces, potential housing and community access should be prioritised. In fact, if the Government buckles to the demands of Racing NSW and renews the lease, then the entire housing development of 4,000 new residences will come under threat as the negotiations around the development plan included the area becoming green space from 2027 to serve the community.

That means that, despite housing being a number one priority for Labor, if this lease is renewed, it seems that Racing NSW comes before adequate housing in New South Wales. The greyhound racing industry groups have put forward their bid to secure a new lease at Wentworth Park. They claim that we need to continue the site for things like school sports. Do not be fooled by this approach. Turning the area into green space for all will allow school sports and other activities to continue, and to imply otherwise is simply scaremongering by the racing industry in an attempt to legitimise its cruel industry.

The horrors of this industry are no secret. Earlier this year, a prominent greyhound trainer was found to have bashed in the heads of four dogs with a hammer. He was found guilty of 18 offences. He was a lead trainer in his field. This is not a one-off example of cruelty and violence in the industry. For decades, the greyhound racing industry has been plagued by horror stories of animal mistreatment and systemic noncompliance. There has been exposé after exposé. The greyhound racing industry has shown that it is incapable of reform. There is no option but to end greyhound racing once and for all, starting with the Government taking a real stance against cruelty and confirming that the lease at Wentworth Park will not be renewed.

TWEED VALLEY HOSPITAL

The Hon. EMILY SUVAAL (21:57): On Saturday 16 March I had the honour of representing my colleague in the other place the Minister for Health, Ryan Park, at the Tweed Valley Hospital Community Open Day in the Tweed electorate. I attended alongside other executive and distinguished guests, including chief executive officer Tracey Maisey, board chair Peter Carter, general manager Adam Reid, director of nursing Rachel McDonald, and the director of the emergency department. It was a wonderful day for the whole community to come along for the unique and special experience of walking through a brand-new hospital without any patients. The new $723.3 million Tweed Valley Hospital in Cudgen is a state-of-the-art facility. It will be open to the public on 14 May. On the open day, the healthcare team at the hospital were excited to show the thousands of community members through the new facility.

I thank all of the staff at the Northern NSW Local Health District who attended on the day and assisted the community in walking through the new facility. I give a shout-out to the paramedics that I spoke to on the day; the police; the cleaners, who were diligently doing such a good job keeping the place clean and maintained when we were there; and the many other staff, including those who were recruiting people. As I have said, the open day was a special opportunity for people to see the new hospital and to walk through it without the staff there. Indeed, I was lucky enough to walk through a number of main areas such as the emergency department, the maternity and cancer care services, and the outpatient department. I also got a special look at the helipad. I can confirm that the view from there was fantastic. It was very windy up the top.

I also did a tour of the intensive care unit and the neonatal intensive care unit, which have state-of-the-art facilities, including a verandah in the intensive care unit that has oxygen suction facilities. It is something that healthcare professionals dream about—the ability to take an intensive care patient outside in the open air to experience the sun and the elements. It is covered but open to the elements, so you can feel the breeze and sun. I thought it would be a nice place for families and loved ones to either spend time with long-term intensive care unit patients, of which there are many, or to have their last moments with a loved one, which we know also happens in intensive care units.

The hospital has a number of new and enhanced clinical services: interventional cardiology, radiotherapy as part of integrated cancer care, satellite medical imaging within the emergency department and enhanced surgical services. It also has an expanded outpatient department, an expanded mental health service and medical inpatient units. The construction of the hospital is complete, and works are now underway to ensure that the building is ready to receive its first patients on 14 May. The additional inpatient beds and extra emergency department treatment spaces are a significant boost to the area, which is growing, and so are the new state-of-the-art theatres.

The new hospital will mean that people like Rob, who I met on the day, will no longer have to travel across the border to John Flynn to receive radiation treatment. Indeed, that gentleman had travelled across the border a number of times for frequent radiation treatment as part of his ongoing care. He told me that he would have been able to walk 20 minutes up the road to receive it at the Tweed Valley Hospital had it been open at the time. It means that over 5,000 patients per year will not have to travel outside the region, which is extraordinary. More than 70 per cent of residents within the Tweed local government area live within a 30-minute drive of the hospital. Staff, patients and visitors will enjoy access to more than 1,200 parking spaces, which are free for people to use. The new purpose-built Kingscliff ambulance station will be on the site as well. Again, I extend my thanks to the whole team, including all those who helped on the day, and I acknowledge the member for Tweed, Geoff Provest, who was also there.

PATHWAYS TO POLITICS FOR WOMEN PROGRAM

The Hon. AILEEN MacDONALD (22:02): We recently celebrated International Women's Day, a call to action for accelerating women's equality. I see it as another reminder that we need more female representation in Parliament, and what a great start tonight to have four of the six adjournment speeches being delivered by women. Australia still lags behind countries like Iceland, New Zealand and Rwanda when it comes to female representation, but I inform the House of a national program to change that. It is called Pathways to Politics for Women and it highlights that Australia is ranked thirty-second in the world when it comes to women in Parliament. That is just not good enough.

Last September I had the fortunate opportunity to sit in the Speaker's chair in the other place before 27 young women who had completed the program and delivered speeches in the Legislative Assembly. They represented Labor, The Greens, Independents, The Nationals and the Liberal Party. Each in their own way was inspiring and had a powerful story to tell. The program is delivered by the University of New South Wales and applications are now open for its fourth year. It is an initiative of the Trawalla Foundation and directly seeks to address the under-representation of women in Australian politics. For me, that is a subject of paramount importance.

We keep hearing in this place that it is all about the numbers. Following the New South Wales general election in March last year, female representation in the Legislative Assembly is at 40.9 per cent. In the Legislative Council it is at 45.2 per cent. That brings the New South Wales Parliament to an overall 42.5 per cent, which is a big increase on women making up 34 per cent of the previous Parliament. I am proud to say that the Liberal Party is close to parity. Eight of the 18 frontbenchers in the shadow Cabinet are female, and women make up 44 per cent of the Liberal Parliament members.

I totally understand why many people are turned off by what they see in the media regarding politics and politicians, not to mention the unfortunate and masculine nicknames, such as the other place being commonly referred to as the bear pit. So I want to use this opportunity to urge and encourage any woman, whatever age she may be, thinking of representing her electorate, be it State or Federal, to please follow that instinct. It would be great to see each of those 27 women whom I met last September in the Chamber be elected and change the complexion of both Houses forever. I did it and I am proud to represent the people of northern New South Wales. I would love to see a fifty-fifty split in my time here. I remind the House that the first woman was elected to the New South Wales Parliament in 1925. We even have a room in this building named after her. Sadly, it is at the back of the place and known only by her surname. I take the opportunity to remind the House that her name was Millicent Preston-Stanley.

RACING INDUSTRY

The Hon. MARK LATHAM (22:06): The wacky plan for the sale of Rosehill racecourse is getting wackier by the day. On the weekend Alex Smith of *The Sydney Morning Herald* reported government sources saying that the racecourse could be moved to the brick pit site at Homebush. There is only one problem: The pit is filled with water and is a gigantic lake. It has even got a protected frog, the death knell for any development in New South Wales. Next thing the Government will be selling Ms Smith the Harbour Bridge. My advice to the Government is not to get caught up with any more Peter V'landys real estate deals. The guy is all tip and no iceberg. Racing NSW has a huge range of problems and challenges, and the V'landys strategy has been to paper over them with hoopla events like the Everest. It is not hard to impress a bunch of journalists and National Party MPs with a buffet lunch on Everest day at Randwick as part of the senseless V'landys war against Racing Victoria.

But it is all tip, no iceberg, given the problems of workforce planning, country race club finances and run-down facilities facing the industry. It is just like the NRL hoopla in Vegas, when Part-time Peter spent tens of millions of dollars to attract just 61,000 United States pay TV viewers, most of whom were expat Aussies. Again, the journos and hangers-on love their free trips and duchessing in Sin City, bought off yet again, but as ever it was all tip, no iceberg, especially when one looks at the decline of rugby league in country New South Wales and in junior league participation. It is said that Part-time Peter is paid an incredible $1.3 million as CEO of Racing NSW. As the Rosehill controversy was raging—there is no doubt it is his real estate baby—he was in Vegas watching and talking footy.

Racing in our State deserves better, especially from the Minns Government, which has very quickly drunk the V'landys Kool Aid, mainly because Mr V'landys has bought off the Tele with the racing form guide payments and 2GB by other means. That is why the Government has appointed Saranne Cooke as the new chair to replace Russell Balding. Ms Cooke has asked experts in the industry when stallions at stud, like Justify and Trapeze Artist, will come back to racing after the breeding season—a laughable proposition showing that her only knowledge of racing is to say, "Yes, Peter", whenever she is told what to do.

Unbelievably, at budget estimates neither the racing Minister nor the public servant who chaired the selection panel for the new Racing NSW chair knew of the blatant conflict of interest in having John Dumesny on the selection panel. Mr Dumesny is a lifelong friend of Peter V'landys from their days together at harness racing. He is also a well-known Las Vegas tourist and all-time V'landys beneficiary. How could he have failed to declare a conflict of interest in selecting the new boss for his best friend? It was a corrupted process, like much of the V'landys networking.

Another example is the employment of Daniel Hadley as an investigator with the Racing NSW investigations and surveillance unit. This Hadley, a son of Ray at 2GB, was kicked out of the police for cocaine abuse yet has landed with an integrity job—that is right, an integrity job—for racing in our State. It is an embarrassment and it is ridiculous. It is part of yet another sweetheart deal, this time with Ray "The Handyman" Hadley, that undermines public confidence in our sport. It is all about Part-Time Peter accumulating more power and influence rather than the proper professional development of the industry.

In this dictatorship, yes-men are fostered while those who raise legitimate questions and concerns are exiled. Serious senior people—experienced experts in their field—are the backbone of thoroughbred racing. They know the flaws in V'landyism but are ignored, intimidated and marginalised. How can our industry, under so much pressure and with so many challenges for the future, afford to lose these experts and the experience and knowledge they bring with them? These people—of course, in a divided industry now—want V'landys gone, yet under this Government, as with the last, Mr V'landys is a protected species.

For starters, the shonky real estate deals must end. It is not just at Rosehill. V'landys never supports a country race club without extracting more power for himself. At Goulburn, Racing NSW has offered money for a stables upgrade—but only if the ownership is transferred to the governing body, with Peter V'landys as the CEO. This out-of-control megalomania is happening across the State, unchecked by a racing Minister who says he has no opinion and cannot get involved in the proposed sale of the second most important asset the New South Wales industry has, Rosehill racecourse. What a shambles! There are alternatives to the sale of Rosehill. The outgoing immediate past chair of the ATC has suggested other property sales—and, of course, the ATC could always look at Canterbury. Rosehill should not be sold. Racing in New South Wales deserves a lot better than these shonky V'landys real estate deals.

NUCLEAR ENERGY

The Hon. PETER PRIMROSE (22:11): Every so often in budget estimates hearings we hear some real gems. One such instance occurred on 7 March when Professor Hugh Durrant-Whyte, the NSW Chief Scientist and Engineer, and Natural Resources Commissioner, was answering a question about whether Australia would have had a robust and low-carbon-emitting nuclear power industry today if we had started building one 30 years ago. The professor's answer was succinct: The fact is we did not start building it 30 years ago. To quote the professor directly:

> I can list all the costs if you like, just to get anything going. For example, who is going regulate it? Who is going to provide the skilled workers? Seventy thousand people in Canada work in the nuclear industry; we have nobody in this country who has even the faintest idea how to build a nuclear plant. What about reprocessing? What about shipping, fuelling—who is doing that?

He went on to say:

> … there are huge costs involved and even if Elon Musk came with $100 billion, he wouldn't actually be able to afford to put one up.

Previously I have spoken in this House about the current cascading debacle that is the Liberals' and Nationals' obsession with pushing for both large-scale nuclear plants and small modular nuclear power, or SMNP, in Australia. The only company to have an SMNP plant approved in the United States—one of the projects previously cited by the Federal and New South Wales oppositions as evidence of a "burgeoning" global nuclear industry—had to cancel plans for its first project in November last year due to the massively rising costs. This is in a country with an existing nuclear industry. NuScale Power announced that it had dropped plans to build a long-promised SMNP so-called "carbon-free power project" in Idaho. The costs of the project rose to US$4.2 billion in 2018 and then to $6.1 billion in 2020, and finally blew out to $9.3 billion in 2023, after it was scaled down to only 462 megawatts in 2021.

Take the further example of the Hinkley Nuclear Power Station in the United Kingdom [UK]. When this project was first being promoted, the CEO of EDF, the majority owner of the Hinkley Power Station, predicted that the facility could be switched on in 2017. It is currently slated to open in 2031, almost a decade and a half late. The UK Government originally priced the project at £4 billion. It is now expected to cost between £35 billion and £46 billion. For comparison, that is around four times the cost of the 2012 London Olympics. This is the fantasy path—the yellowcake road—that the Liberals and Nationals want us to follow instead of Australia's current clean energy transformation.

The problems, costs and dangers of nuclear power are legion, even before trying to work out where the reactors would be built, who would actually build them, what to do with the toxic nuclear waste or how it would be safely transported and stored without destroying our "clean and green" export advantage. That is why even Australia's big private electricity generators have now dismissed nuclear energy as a viable source of power for their customers for at least a decade. AGL Energy, Alinta, Energy Australia and Origin Energy have all said they will instead remain focused on developing renewable sources as coal and gas plants exit the grid. Damien Nicks, for instance, the chief of AGL, told *The Guardian* last Friday that nuclear energy was not part of the company's plans to develop coal and gas plants into low-emission industrial hubs. Mr Nicks stated:

> There is no viable schedule for the regulation or development of nuclear energy in Australia, and the cost, build time and public opinion are all prohibitive … Policy certainty is important for companies like AGL and ongoing debate on the matter runs the risk of unnecessarily complicating the long-term investment decisions necessary for the energy transition.

This is not a path Australia should even be considering.

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:16 until Thursday 21 March 2024 at 10:00.