

LEGISLATIVE COUNCIL

Wednesday 15 May 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.

The PRESIDENT: The Hon. Wes Fang will cease interjecting. He will be called to order if he interjects further today.

Rulings

SUB JUDICE CONVENTION

The PRESIDENT (10:02): During the giving of notices of motions yesterday I reserved my ruling in relation to a point of order taken by Dr Amanda Cohn about the applicability of the sub judice convention to a notice of motion given by the Hon. Mark Latham. The motion refers to previous legal proceedings involving Ms Abigail Boyd, and I note that Ms Boyd in her contribution on the point of order made reference to an upcoming further court hearing. As I stated in my previous ruling on the sub judice convention, just because a matter is before a court, it does not follow that every aspect of it must be sub judice and beyond the limits of permissible debate. In other words, the mere fact that a matter is the subject of legal proceedings does not necessarily preclude the House debating the same subject.

I also noted, as President Johnson did in 1990, that the sub judice convention is much stricter in relation to criminal matters than civil matters. As I made clear last night, these decisions are rarely clean cut and require the Chair to use their best judgement. However, noting that, as Ms Abigail Boyd stated yesterday, "sub judice does not apply easily in civil cases", and noting, as I also stated, that I maintain a general presumption in favour of discussion, I rule that in this case no prejudice to legal proceedings is likely to occur as a result of this motion and, therefore, the notice of motion is in order. That being said, I caution all members to consider very carefully whether utilising the procedure of censuring individual members, rather than restricting the process to Ministers and decisions of the Government, is beneficial to the smooth and collegiate operation of the House in the longer term.

Announcements

BICENTENARY CONCERT SERIES

The PRESIDENT (10:03): I remind members that from 12.45 to 1.30 p.m. today the talented wind quintet from the Sydney Youth Orchestras will be performing in the Fountain Court as part of our special Bicentenary Concert Series. The series invites everybody at New South Wales Parliament to reflect on our past, celebrate our progress and imagine our future. Today we will hear pieces from some popular composers as we are encouraged to reflect on the theme of working together in the spirit of democracy. Some of those pieces include excerpts from *Carmen*, *the Marriage of Figaro*, *Eine Kleine Nachtmusik* and Harry Potter. I look forward to seeing members there.

Bills

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (VIBRANCY REFORMS) 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. Penny Sharpe.

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

Statement of public interest tabled.

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.

Motions

BACK LISMORE

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

- (1) That this House affirms its support for a community campaign called Back Lismore.
- (2) That this House notes that:
 - (a) the highest flood on record in Lismore was on 28 February 2022, where the flood level reached 14.4 metres;
 - (b) the cost to the region was estimated at \$9.6 billion; and
 - (c) the flood killed five people and left more than 4,000 homes uninhabitable.
- (3) That this House further notes that:
 - (a) Lismore's major employment sectors include health, education, social services and retail trade;
 - (b) Lismore has experienced growth in construction, finance, insurance, property and business; and
 - (c) a Lismore City Council report estimates the total cost of rebuilding the community is close to \$1 billion.
- (4) That this House calls on the Government to acknowledge and support Back Lismore to recover after Lismore and the Northern Rivers region were decimated by unprecedented flooding.

Motion agreed to.

WORLD DOWN SYNDROME DAY

The Hon. AILEEN MacDONALD (10:06): I seek leave to amend private members' business item No. 895 by:

- (1) Omitting paragraph (c) and inserting instead:
 - (c) the majority of pregnancies in Australia that are screened as having a high probability of Down syndrome are terminated;
- (2) Omitting paragraph (d) and inserting instead:
 - (d) parents should be empowered with resources and knowledge that a person with Down syndrome can lead a very good life; and.

Leave granted.

The Hon. AILEEN MacDONALD: Accordingly, I move:

- (1) That this House acknowledges 21 March 2024 as World Down Syndrome Day.
- (2) That this House notes that World Down Syndrome Day has been observed by the United Nations since 2012.
- (3) That this House further notes that:
 - (a) the average life expectancy in Australia for a person with Down syndrome is 60 years;
 - (b) medical advances mean people with Down syndrome are leading longer, more meaningful and fulfilled lives;
 - (c) the majority of pregnancies in Australia that are screened as having a high probability of Down syndrome are terminated;
 - (d) parents should be empowered with resources and knowledge that a person with Down syndrome can lead a very good life; and
 - (e) the day is marked by a "Lots of Socks" campaign by wearing vibrant and colourful socks to mirror diversity in the community.

Motion agreed to.

UNITING'S FOYER CENTRAL

The Hon. AILEEN MacDONALD (10:07): I move:

- (1) That this House notes that:
 - (a) Uniting's Foyer Central celebrated its third anniversary on 16 April 2024; and
 - (b) youth foyers are a proven solution for supporting young people aged between 15 and 24 who are at risk of homelessness.

- (2) That this House further notes that:
- (a) Foyer Central in Chippendale is a purpose-built complex of 53 studio apartments offering a safe and supportive space for young people to access opportunities for their personal development; and
 - (b) Foyer Central provides space for young people to access support for health and wellbeing, education and employment.
- (3) That this House notes that the following attended the anniversary celebration:
- (a) the Hon. Aileen MacDonald, OAM, MLC;
 - (b) Jenny Leong, MP, member for Newtown;
 - (c) Anita Le Lay, Executive Manager, Principal Officer, Communities Directorate;
 - (d) Liz Cameron-Smith, CEO, Foyer Foundation;
 - (e) Aimee Cavallaro, Foyer Centre Manager;
 - (f) Corin Moffatt, Investment and Strategy Foyer Foundation; and
 - (g) Foyer Central staff and young people.
- (4) That this House notes that:
- (a) youth foyers offer an effective evidence-based solution to youth homelessness;
 - (b) more than 80 per cent of youth foyer residents exit into safe and stable housing;
 - (c) 65 per cent gain secure and decent employment; and
 - (d) 60 per cent are less likely to be involved in the youth justice system.
- (5) That this House notes that the Foyer Foundation is calling for 10 new youth foyers.

Motion agreed to.

NEW ENGLAND NORTH WEST REGIONAL LEADERSHIP SUMMIT

The Hon. AILEEN MacDONALD (10:07): I move:

- (1) That this House notes that:
- (a) on 30 April 2024 and 1 May 2024 Business NSW held the inaugural New England North West Regional Leadership Summit in Tamworth;
 - (b) the summit was designed to foster leadership development and to drive regional growth;
 - (c) the summit successfully connected business leaders from across the New England North West region;
 - (d) the summit strongly supported local solutions for regional development; and
 - (e) the following attended the summit:
 - (i) the Hon. Aileen MacDonald, OAM, MLC;
 - (ii) Diane Gray, Regional Director, Business NSW New England North West;
 - (iii) Councillor Russell Webb, Tamworth Regional Mayor;
 - (iv) Councillor Robert Bell, Uralla Shire Mayor;
 - (v) Tim Coates, President, Business NSW New England North West Regional Advisory Council;
 - (vi) Peter Baines, OAM;
 - (vii) David Harding, Executive Director Policy and Advocacy, Business NSW; and
 - (viii) Julian Arndt, Director, Australian Business Lawyers and Advisors.
- (2) That this House further notes that:
- (a) the summit's theme was "Leading the way matters";
 - (b) leadership for the region should be sought from within;
 - (c) opportunities for the region should focus on agriculture, manufacturing and engineering; and
 - (d) the housing shortage in the region requires increasing affordable housing options, exploring alternative housing models and investment in infrastructure.

Motion agreed to.

MAY DAY MARCH

The Hon. CAMERON MURPHY (10:07): I move:

That this House notes that:

- (a) on 1 May 2024 the annual May Day March occurred in a procession from Belmore Park to Hyde Park;
- (b) May Day is celebrated each year to highlight the many achievements fought for and won by workers and unions, such as the eight-hour work day;
- (c) the event was well attended by members of the labour movement and members of Parliament including the Hon. Cameron Murphy, MLC, the Hon. Anthony D'Adam, MLC, the Hon. Mark Buttigieg, MLC, and Dr Hugh McDermott, MP;
- (d) unions, including the CFMEU Construction and General Division, Electrical Trades Union, the Maritime Union of Australia and many others, participated in the march;
- (e) union speakers advocated for industrial manslaughter laws, repealing the anti-protest laws, pay equality and fair bargaining; and
- (f) the Government has established a new mutual gain bargaining system and has announced that industrial manslaughter legislation will be introduced this year.

Motion agreed to.

LAKE CATHIE AMBULANCE STATION

The Hon. CAMERON MURPHY (10:08): I move:

- (1) That this House notes that:
 - (a) on 30 April 2024 the Hon. Cameron Murphy, MLC, attended the opening of the new Lake Cathie Ambulance Station on behalf of the Hon. Ryan Park, MP, Minister for Health and Regional Health;
 - (b) the opening of the ambulance station in Lake Cathie Ambulance Station will significantly enhance emergency care in the Mid North Coast and reduce pressures on frontline workers; and
 - (c) the opening of this station is one component of the Rural Ambulance Infrastructure Reconfiguration program which is delivering 54 new, rebuilt or upgraded ambulance stations across regional and rural New South Wales.
- (2) That this House acknowledges the commitment of the Government to support the vital work undertaken by NSW Ambulance paramedics to continue to deliver the high-quality emergency care they provide to communities across New South Wales.

Motion agreed to.

MABO DAY

The Hon. CAMERON MURPHY (10:08): I move:

- (1) That this House notes that:
 - (a) Mabo Day will take place on 3 June 2024, marking 34 years since the historic native title decision in the High Court;
 - (b) this day commemorates the contributions of Eddie Koiki Mabo and his co-plaintiffs James Rice, Sam Passi, Reverend Dave Passi and Celuia Mapo Salee in working to secure land rights for Aboriginal and Torres Strait Islander people;
 - (c) the decision overturned the legal fiction of Terra Nullius, which denied Aboriginal and Torres Strait Islander people ownership of their lands; and
 - (d) the Mabo decision was an important step in the process of reconciliation and working to rectify Australia's colonial legacy of dispossession by recognising First Nations people's traditional ownership of the land.
- (2) That this House acknowledges the strong connection of First Nations people to country, as recognised on this day.
- (3) That this House celebrates the significance of the contributions of Eddie Mabo and others to advancing Aboriginal land rights in Australia.

Motion agreed to.

INTERNATIONAL DAY AGAINST HOMOPHOBIA, BIPHOBIA, INTERPHOBIA AND TRANSPHOBIA

The Hon. CAMERON MURPHY (10:09): I move:

- (1) That this House notes that:
 - (a) 17 May 2024 is the International Day Against Homophobia, Biphobia, Interphobia and Transphobia; and
 - (b) this day aims to draw attention to the violence and discrimination experienced by the LGBTQI+ community and to celebrate sexual and gender diversities.
- (2) That this House condemns homophobia, biphobia, interphobia and transphobia in any form.
- (3) That this House encourages individuals to join in the global campaign to wear rainbow on 17 May 2024.

Motion agreed to.

BARTON PARK RECREATIONAL PRECINCT

The Hon. MARK BUTTIGIEG (10:09): I move:

- (1) That this House notes that:
 - (a) on 4 May 2024, Bayside Council opened the newly upgraded Barton Park Recreational Precinct in Banksia, and the Hon. Mark Buttigieg, MLC, was honoured to attend at the invitation of the mayor of Bayside Council, Councillor Bill Saravinovski, and the deputy mayor, Councillor Joe Awada;
 - (b) the opening was very well attended, with the community coming together to enjoy two football matches in the new park, a St George Football Club [FC] and Sutherland Shire Football Australia [FA] League One Women's game and a St George FC and Sydney Olympic FC National Premier League NSW Men's game;
 - (c) community leaders were also well represented at the opening, including:
 - (i) the Hon. Steve Kamper, MP, member for Rockdale and Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism and Minister for Sport;
 - (ii) Mr Stephen Bali MP, Parliamentary Secretary for Planning and Public Spaces, representing the responsible Minister, the Hon. Paul Scully MP;
 - (iii) Councillor Bill Saravinovski, mayor of Bayside Council;
 - (iv) Councillor Joe Awada, deputy mayor of Bayside Council; and
 - (v) councillors from Bayside Council including Councillor Liz Barlow, Councillor Paul Sedrak, Councillor Edward McDougall, Councillor Jo Jansyn, Councillor Jennifer Muscat and Councillor Ann Fardell.
 - (d) the new park features three soccer pitches, six courts—four for tennis and two designed for multiple uses like basketball or futsal—as well as a grandstand fit for 450 people;
 - (e) the supporting facilities have also been upgraded to enhance the overall experience, including the bathrooms, canteen, cycleway, walkways, car access and parking;
 - (f) the Barton Park Recreational Precinct will serve as a significant asset to the community, providing long-lasting benefits to thousands of residents in the local area for generations to come; and
 - (g) the upgrades were made possible through joint funding from Bayside Council along with \$18 million of funding from the Government, including \$3 million from the Public Spaces Legacy program, \$10 million from the Accelerated Infrastructure Fund round 3 and \$5 million from the Multi-Sport Community Facility Fund.
- (2) That this House acknowledges the long-running campaign efforts and outstanding representation for the Bayside community by local member Steve Kamper, Mayor Saravinovski, Deputy Mayor Joe Awada and all the Bayside councillors which achieved such a great outcome.
- (3) That this House congratulates Bayside Council for putting on a fantastic opening for the new Barton Park Recreational Precinct in what is the most impressive bequest to a local government area the Hon. Mark Buttigieg, MLC, has seen and which will serve as a lasting legacy for the Bayside local government area.

Motion agreed to.

ST STANISLAUS COLLEGE BATHURST EASTER SHOW RESULTS

The Hon. SAM FARRAWAY (10:09): I move:

- (1) That this House notes that St Stanislaus College Bathurst agriculture students competed in the 2024 Sydney Royal Easter Show cattle competition.
- (2) That this House acknowledges that:
 - (a) the commitment from St Stanislaus College teachers to support their agriculture students with the opportunity to experience the Sydney Easter show and compete at the national level;
 - (b) the achievement of Stannies student, Ryan Windsor, who was awarded first place in the parader's competition with his beast called "Kyro";
 - (c) Stannies year 10 student, Rhys Robinson, who was named Simmental Cattle Youth Champion Senior Herdsman; and
 - (d) the Sydney Royal Easter Show encourages and celebrates the next generation of rural students, providing a platform for young leaders to showcase and exhibit their agricultural skills.
- (3) That this House congratulates St Stanislaus College agriculture teachers, Mrs Virginia van Gend, Mrs Alex Clements and all members of the Stannies cattle team for their hard work and fantastic results at the 2024 Sydney Royal Easter Show.

Motion agreed to.

SCOTS ALL SAINTS COLLEGE BATHURST EASTER SHOW RESULTS

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

- (1) That this House notes that Scots All Saints College Bathurst agriculture students competed in the 2024 Sydney Royal Easter Show cattle competition.

- (2) That this House acknowledges:
- (a) Scots All Saints College students' outstanding results at the show, winning Champion School Steer and Grand Champion Steer;
 - (b) Scots All Saints College student Lily Moore, who won Reserve Champion Parader in the New South Wales State Final; and
 - (c) the Sydney Royal Easter Show's encouragement and celebration of the next generation of rural students, providing a platform for young leaders to showcase and exhibit their agricultural skills.
- (3) That this House congratulates Scots All Saints College agriculture teachers, Mrs Libby Dawes, Mr Bruce Inwood, and all members of the cattle team for their hard work and fantastic results at the 2024 Sydney Royal Easter Show.

Motion agreed to.

BATHURST MEN'S WALK AND TALK GROUP

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

- (1) That this House notes that:
- (a) on Thursday of each week at 5.30 p.m., the Bathurst Men's Walk and Talk group meet in Berry Park for a coffee, chat and walk around the Macquarie River; and
 - (b) the Bathurst Men's Walk and Talk group has been operating with a team of dedicated volunteers since 2019.
- (2) That this House acknowledges:
- (a) the Bathurst Men's Walk and Talk group's motto is "No man walks alone", encouraging men to never feel alone when it comes to their mental health;
 - (b) since the group was formed, over 120 local men in Bathurst have participated in the weekly walk; and
 - (c) the Bathurst Men's Walk and Talk group receive sponsorship from local businesses every week to support the group in providing free coffee from Black Crow Coffee for all participants.
- (3) That this House congratulates Bathurst Men's Walk and Talk co-founders, Greg Sly and Dave Shawcross, for their commitment to the very important issue of men's mental health in the Central West.

Motion agreed to.

EUROVISION SONG CONTEST

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

- (1) That this House notes that the final of the Eurovision Song Contest took place in Sweden over five days from 7 to 11 May 2024.
- (2) That this House further notes that:
- (a) there were Only Teardrops and no Hallelujahs in the eyes of Australians after Electric Fields met their Waterloo, the voters making their mind up to place them eleventh in the semifinals;
 - (b) there was Euphoria because a new language was heard in Europe, and not just La La La;
 - (c) we had all wanted a Fairytale, nevertheless they are still our Heroes, but What's Another Year; and
 - (d) we Believe that next year Australia will break the Code and Rise Like a Phoenix and, like Teresa and Maria, ascend through the Hurricane which is Eurovision, which extends beyond the physical boundaries of Europa.
- (3) That this House congratulates the winner, Switzerland.

Motion agreed to.

Committees

REGULATION COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES (10:11): I table a report of the Regulation Committee entitled *Delegated Legislation Monitor No. 4 of 2024*, dated 15 May 2024. I seek leave to make a short statement regarding the tabling of the monitor.

Leave granted.

The Hon. NATASHA MACLAREN-JONES: I draw the attention of the House to an instrument examined in the committee's *Delegated Legislation Monitor No. 4 of 2024*, in particular chapter 2. The Education Amendment (Non-Government School Assets and Income) Regulation 2024 amends the Education Regulation 2017 by inserting clause 10B to, as the explanatory note sets out, clarify when a non-government school providing certain education and care services operates for profit. With regard to clause 10B (1) (b) of the amending

regulation, this provision commits to guidelines the criteria relating to children for whom a recognised education and care program must be provided.

The committee makes no comment on the policy reflected in clause 10B or the guidelines, but it is of the view that the means by which the policy has been achieved may involve an impermissible sub-delegation of legislative power. I draw the attention of the House to appendix 4 of the report, which includes correspondence between the committee and the Minister regarding its concerns and scrutiny of the regulation, which is also outlined in the report. The committee considered the independent legal advice provided to it and correspondence of the Minister. On balance, as the issue is only one element of the rule created by clause 10B, in this instance the committee has not recommended disallowance. Having said that, the committee will remain alert to the use of legislative power to delegate matters to non- or quasi-legislative documents such as guidelines. This will be particularly so where those documents are produced by a Minister or department.

Guidelines may, in many circumstances, provide useful and appropriate advice in relation to administrative matters or set out the Government, or a regulator's, view on the application of the law to a particular circumstance. However, the committee's view is that in this case the guidelines go further, in that they are arguably legislative rather than administrative in character. Both the accessibility of the law and the parliamentary scrutiny are diminished where key elements of the law are provided for in documents that may be altered without legislative amendment that is disallowable by Parliament. It is on this basis that scrutiny concerns of this nature will continue to be identified by the committee when reviewing statutory instruments and, in appropriate cases, the committee may set out its opinion that an instrument under scrutiny, or part of it, should be disallowed.

Finally, I acknowledge the committee staff for all the work that they have done to date, particularly in preparing the monitors but also regarding the website, to which I draw the attention of the House. We have a new website, which outlines all the instruments that are being considered and the outcomes. I acknowledge Madeleine Dowd, Dom Bowes, Bethanie Patch and Robin Howlett and thank them for their service.

Documents

TABLING OF PAPERS

The Hon. PENNY SHARPE: According to the State Owned Corporations Act 1989, I table the following reports for six months ended 31 December 2023:

- (a) Essential Energy;
- (b) Forestry Corporation of NSW;
- (c) Hunter Water Corporation;
- (d) Landcom;
- (e) Port Authority of New South Wales;
- (f) Sydney Water Corporation;
- (g) Transport Asset Holding Entity of New South Wales; and
- (h) Water NSW

Committees

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Extension of Reporting Date

Ms ABIGAIL BOYD: According to paragraph (6) of the resolution establishing the portfolio committees, I inform the House that on 8 May 2024 Portfolio Committee No. 3 - Education resolved to extend the reporting date for its inquiry into children and young people with disability in New South Wales educational settings to 8 August 2024.

Bills

LIMITATION AND CIVIL LIABILITY AMENDMENT (PERMANENT STAYS) BILL 2024

First Reading

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

Second Reading Speech

The Hon. JEREMY BUCKINGHAM (10:23): I move:

That this bill be now read a second time.

I hope and believe that this is an uncontroversial statement to say that the Royal Commission into Institutional Responses to Child Sexual Abuse was one of the most significant, important and consequential royal commissions ever to take place in this country. The royal commission broke open the dark and often unspoken truths of child sexual abuse in a way that henceforth no-one could ever hide behind the protection of saying, "I didn't know." The New South Wales Government, to its great credit, accepted the overwhelming majority of the commission's 409 recommendations.

One of the most important of these recommendations was to remove any limitation period for compensation claims related to child sexual abuse. Previously, survivors of childhood physical and sexual abuse had three years from the date they turned 18 in which to bring a claim. Analysis of almost 5,000 survivors who attended a private session with commissioners showed that it took survivors on average 23.9 years to tell someone about the abuse. Men often took longer than women—an average of 25.6 years compared to 20.6 years for women. Critically, the commission found that the majority of survivors—three in five—disclosed the abuse in adulthood. Even as adults, they often felt the near insurmountable barriers of shame, embarrassment, fear of retribution and a fear of not being believed. The *Redress and Civil Litigation* report published by the royal commission in 2015 and referenced in the final report of the commission reached the following conclusion:

There is now clear evidence that it is likely to take many survivors years, even decades, to disclose their experience of sexual abuse as a child. There is also an increasing understanding of the devastating impacts of child sexual abuse and how these may work against a survivor even being able to disclose the abuse to a family member or friend, let alone seek legal advice and commence proceedings. There is little evidence that survivors of child sexual abuse are 'sleeping on their rights'.

It is clear that the royal commission intended to remove unreasonable obstacles to justice for survivors and to recognise that in child physical and sexual abuse cases there was sufficient reason to waive the longstanding view that it was impossible to achieve a fair trial for either party if too much time had elapsed. Instead, the commission intended the courts to assess each case on its individual merits. Unfortunately, the intentions of the royal commission were distorted by a legal manoeuvre previously rare and used only in truly exceptional circumstances.

I refer to the use of permanent stays. This is a legal instrument where the defendant can argue that a fair trial has become impossible; it is intended to be used as a last resort on the basis that no other option is available. I pay tribute here to *Guardian Australia* and the ABC's *Four Corners* for highlighting the use of permanent stays by institutions, primarily, but not solely, by the Roman Catholic Church—an institution that has earned an unenviable reputation from the way it has too often bullied victims into submission by so-called "lawfare". *Guardian Australia* found that the church was routinely using permanent stays in cases where perpetrators had died, either to defeat active claims before the courts or to lowball survivors into settlement negotiations.

The current law in New South Wales is that a survivor's claim for civil damages arising from historical sexual abuse may be subject to an application to be permanently stayed where, for example, the alleged abuser is dead or unavailable due to incapacity and they were not confronted with abuse allegations before their death or infirmity. This is even the case where the offender is accused by multiple alleged victims or where the offender has previous child abuse convictions. It is also the case where there is evidence the institution had knowledge of other alleged abuse by the accused. Perversely, the law rewards institutions who lose or destroy documents, or who—like sections of the Roman Catholic Church—make a conscious decision not to record deliberations that could later incriminate them. I would argue that the use of permanent stays in these circumstances is manifestly unfair to a victim, but you do not have to rely on my opinion.

The case law pertaining to the use of permanent stays changed significantly on 1 November last year when the High Court of Australia handed down its much-anticipated ruling on the appeal of *GLJ v The Trustees of the Roman Catholic Church for the Diocese of Lismore*. In January 2020 the appellant known as "GLJ" commenced proceedings in the Supreme Court of New South Wales against the Trustees of the Roman Catholic Church for the Diocese of Lismore for damages for personal injury resulting from child sexual abuse alleged to have been perpetrated against her in 1968 when she was 14 years old. The alleged perpetrator was Father Clarence Anderson, who died in 1986—well before GLJ made a complaint to the Diocese of Lismore. The church argued that a just trial was impossible and sought a permanent stay of proceedings.

The majority decision found that the fact that Father Anderson had died did not warrant the "exceptional circumstances" that would warrant a permanent stay. In particular, the court noted that the diocese had documentary evidence of the parishes to which Father Anderson had been assigned, the nature of his work, other sexual abuse complaints made about him and the resolution of a series of previous sexual misconduct claims made against him. What we now know is that the removal of limitation periods has created a new legal landscape and that the degradation of evidence due to the passage of time is no longer a sufficient basis for a permanent stay. However, questions remain.

The ruling pertains to the specific circumstances of GLJ and it is still an open question as to how factually different cases may be interpreted, so uncertainty and risk is not eliminated for survivors. Doubt also remains because the High Court was split 3-2, one of the majority has now retired, and the full bench of seven justices was not empanelled for this important case. The decision may be affirmed, altered or even overturned in years to come. This is why it is critical that we enshrine the lessons of GLJ into New South Wales statute law. We need to finish the job started by the Royal Commission into Institutional Responses to Child Sexual Abuse and clear the obstacles to justice for sexual abuse survivors.

While the Government has raised the possibility that this bill breaches the so-called Kable principle, and therefore may breach the Constitution, we are confident that this is not the case. The Kable principle asserts a constitutionally entrenched separation of judicial power at State level. Simply put, State legislation cannot direct judges to certain outcomes, regardless of the merits of individual cases. While my bill directs what circumstances do not count as "exceptional circumstances" warranting a permanent stay, it does not preclude a judge from forming the opinion that a permanent stay is necessary, given the totality of the case. It is therefore safe from High Court challenge under the Kable principle.

While this bill is clearly about the rights of sexual abuse survivors, it does not ignore the need for a fair trial and the rights of defendants such as the Catholic Church. It may be tempting to argue for a more radical change, such as abolishing permanent stays for institutional defendants entirely. This bill does not do that. This bill simply enshrines the case law created by GLJ into statute law. In doing so, it removes some of the uncertainty for all parties: survivors, certainly, but also defendants and courts. It also has the added value of relative simplicity. By including an object clause to the Limitation Act 1969 (NSW), section 6A limits the ability for a defendant to argue for a permanent stay simply because of the passage of time. The inevitable fading of memories and loss of evidence—whether from death, illness, infirmity or the loss and destruction of documents—should not of themselves be viewed as "exceptional circumstances" and therefore grounds for a permanent stay.

I should say at this stage that the ordinary rules of evidence are unchanged by this bill. The rights of a defendant are covered by the ordinary working of the courts. The ultimate safeguard for defendants in civil proceedings is the discharge of the evidential onus by the plaintiff. Where civil trials are heard by judges sitting alone, any prejudice caused by delay and unavailable evidence is ameliorated by that fact alone. Where a plaintiff is available to be cross-examined, a defendant is entitled to make a no case submission at the close of the plaintiff's case if the evidence has not come up to proof. In that case, a judge is entitled to determine the case on its merits for the defendant. Such an outcome is likely cheaper for a defendant than investigating and prosecuting a permanent stay application and gives finality to the outcome, which a stay does not.

This bill also removes uncertainty by setting out a statutory criteria of matter to be considered or not considered in granting a permanent stay, following the prescription of GLJ. Importantly, this bill also addresses the injustices of those settlements entered into under the threat of a permanent stay, which would now be liable to be set aside so that the issues may be tested in court in accordance with the guidelines contained in the bill. There is precedent for this retrospectivity. We can already do this with settlements entered into under the threat of an application of the Limitation Act 1969 or the Ellis defence to the claim of the survivor. The Civil Liability Act 2002 now allows a court to set aside a so-called "affected agreement" under certain circumstances, if it is just and reasonable to do so. I quote, "At the time of the agreement, a limitation period applying to the cause of action had expired."

I am heartened by the cross-party support that I received when I first raised this matter shortly after the High Court decision on the GLJ appeal. When I called on the Government to consider changing statute law to reflect the new reality, and to provide greater certainty, the response from the Hon. Mark Buttigieg on behalf of the Government was promising. He said that the Department of Communities and Justice was carefully considering this decision and that the Attorney General had requested a brief on the judgement. The Hon. Mark Buttigieg told this House:

This is a matter of significance that the New South Wales Government must consider incredibly carefully.

He continued:

... the Government supports the motion as it asks for the Government to consider mechanisms and changing statute law, which we will do.

It is now almost six months after the Government made that pledge, and the time for prevarication is over. Every month of inaction is another month that survivors are denied justice, that their lives remain on hold, that they are liable—through the threat of permanent stays and costly legal action—to be victimised by institutions all over again. Enough is enough. We have drafted a bill that is modest, fair to all parties and is a simple reflection and clarification of the law as it stands today.

Finally, I recognise and pay tribute to the tenacity and resilience of the countless survivors of sexual abuse, whether they suffered at the hands of institutions or individuals. As many here will know, I am only too painfully aware of the immense damage caused by the sexual abuse of children. I also make special mention of two lawyers, James Masur and John Ellis, whose tireless pursuit of this matter is the bedrock on which this bill is constructed. Their work and advocacy are about to bear fruit, of that I am convinced. I am proud and humbled that they are both in the gallery supporting this bill. I commend the bill to the House.

Debate adjourned.

COMPANION ANIMALS AMENDMENT (PUPPY FARMS) BILL 2024

First Reading

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

Second Reading Speech

The Hon. EMMA HURST (10:38): I move:

That this bill be now read a second time.

Ending puppy farming is pretty obvious and easy reform. You would think, given other States have already banned it, that we would also be there by now. And yet here I am bringing in my Companion Animals Amendment (Puppy Farms) Bill again. I spent most of the last term of Parliament campaigning and rallying the support of the Parliament to outlaw this cruel industry. We finally passed the Companion Animals Amendment (Puppy Farms) Bill 2021 through the Legislative Council with the support of the crossbench and the New South Wales Labor Party. It was not without controversy.

I recall certain members attempting to confuse the Hon. Reverend Fred Nile, the deciding vote on that legislation, to get him out of the Chamber, and the rather cruel attempts to get him to leave. These included keeping him away from his own retirement party, for which he ended up being over an hour late. But he stayed. He missed most of his own party for one reason—because he, like the majority in this House, saw that the cruel intensive factory farming of dogs for the pet trade industry must be outlawed.

Let me explain what is currently legal in Australia. Someone can set up a factory farm of dogs, with an unlimited number. Let us say they decided to have 3,000 dogs. There are no staff ratio requirements, so let us say they have one person looking after those 3,000 dogs and all of their puppies. The dogs can be kept confined for 23 hours and 40 minutes a day in a tiny cage. A mother dog can be forced to pump out litter after litter for her entire life, as there is no limit on the number of litters any one dog can be forced to endure.

That is what is legal in New South Wales. She may develop painful health conditions. She will likely have psychological issues, and at any point in time she can simply be killed—shot in the head, even—if she is not producing the litters that someone wants. That is how disgustingly out of date our laws are. That is how disgustingly out of touch our laws are. I have spent four years with a Liberal-Nationals Government arguing that this was okay. I know many members in this place on all sides do not agree that it is okay but, due to politics, no action was taken to stop it. I note that with the Labor Government these animals now have a chance at reform, and I recognise that the Minister for Agriculture has stated she is working on this. I inform her that this matter is urgent and that she has our support for strong reforms.

Puppy farms on this massive scale are continuing to be set up around New South Wales, especially since 2017 when the Victorian Government passed legislation effectively banning this cruel industry. Towns on the New South Wales-Victoria border have been worst hit. Murray River Council, for example, has reported a 500 per cent increase in development applications for intensive dog breeding facilities, including a facility that will house over 300 dogs. These local councils are frustrated at the failure of successive councils to step up and do something about this issue. Councils do not want to approve development applications for these mega puppy farms, but they are often hamstrung by the State's weak animal protection laws. This is not only a major animal welfare issue; it is also an issue for the community, as members of the public continue to be scammed by puppy farmers, receiving dogs that end up sick or even dying.

Even for someone who does their due diligence, it can be very hard to spot a puppy farm because these businesses are set up to confuse and deceive the public about where their puppies come from, and many people—rightfully so—assume that puppy farming is illegal in New South Wales. It is not. At the end of the day, adopting from rescues, shelters and pounds is the only truly safe and ethical option when it comes to finding a companion animal, which of course is the other major problem with the puppy farming industry. It contributes to the oversupply of companion animals, many of whom end up in our already overcrowded pounds. It is a vicious cycle and one that must be stopped, and that is exactly what this bill will do.

This bill is very similar to the one that I introduced and passed in this place during the last Parliament, as amended by Labor, but with some improvements. Those tweaks are based on further expert and community feedback. I thank the Parliamentary Counsel's Office for all its work in preparing this updated version of the bill—in particular, Melissa Low. The bill remains modelled off the successful puppy farm legislation introduced in Victoria in 2017 and aims to introduce a suite of carefully constructed regulations that will stop large-scale unethical puppy farmers from being able to operate.

While the focus so far has been on puppy farming, I note that the bill will regulate the conduct of both dog and cat breeders. Kitten farming is a known problem in New South Wales, albeit on a much smaller scale since there is less profit to be made on the sale of cats. I also note that the provisions of the bill do not apply to the breeding of assistance animals. Assistance dog providers who are members of the International Guide Dog Federation or Assistance Dogs International will be exempt from the bill, consistent with Victoria, which follows meetings we have had with Guide Dogs NSW.

The starting point of the bill is that all companion animal breeding businesses will be required to register with their local council in order to legally operate. Right now the dog and cat breeding industry in New South Wales is essentially entirely unregulated by government. It has been a space that has been entirely neglected and left to self-regulation. If we introduce a new regime to ban puppy farming, we need to ensure that someone is going to enforce it. Our view is that it should not be left to private charities like the RSPCA or the Animal Welfare League, which are already not properly resourced to enforce animal cruelty laws.

Rather, following the Victorian model, we have chosen to make councils responsible for registration and inspection, while the usual enforcement agencies will have the primary role of upholding cruelty laws at any of these facilities should a breach occur. I note that Local Government NSW has indicated that it is supportive of this model adopted in the bill, so long as the proposed registration fees are sufficient to cover costs incurred by councils, which is exactly what this bill would do.

The bill also introduces restrictions on who can operate a companion animal business. Councils cannot register one of these businesses if the applicant has previously been found guilty of an animal cruelty offence, either in New South Wales or interstate. This ensures that the bill is aligned with amendments to the Prevention of Cruelty to Animals Act 1979, passed in 2022, which provides that anyone convicted of an animal cruelty offence is not allowed to breed animals or operate a breeding business.

Under the bill councils also have the discretion to refuse applications if the applicant has previously declared that he or she is bankrupt or has been subject to liquidation, is not in a financial position to meet the expenses for caring for the animals or is otherwise deemed not a fit and proper person to run a companion animal breeding business. I note briefly that the Hon. Mick Veitch, MLC, a well-loved former member of this place, who was very passionate about ending puppy farming, was particularly keen to ensure that any puppy farm bill included the requirement that the individual was considered a fit and proper person.

Councils will be required to inspect the sites of companion animal breeding businesses to ensure that they comply with all relevant regulations and codes, both before they are registered and annually when registration is renewed. To cover the costs of the inspections, councils are able to charge those businesses an annual fee for registration of their choosing, which, as I noted earlier, was very important to Local Government NSW and addresses its concerns.

The bill creates a slightly different regime for two other types of breeders: recreational breeders and micro breeders. Micro breeders are individuals who have two or less female breeding dogs in their home. Consistent with the Victorian puppy farm legislation, they are exempt from the requirements to register with council. However, we want to ensure that the bill also targets and stops dodgy backyard breeding, so micro breeders are still required to comply with requirements regarding litter limits and breeding animals with heritable defects, and they must still comply with the Breeding Code. We note that this code is incredibly out of date and not fit for purpose, which is why the bill also requires that within two years the department must produce an updated version of the code. Micro breeders will also have threshold requirements regarding qualifications, in order to obtain a source number to sell animals.

Recreational breeders are breeders who have up to 10 fertile female dogs and who are members of an applicable organisation—that is, a breeding membership organisation like DOGS NSW—that has been approved by the Minister. The notion of a recreational breeder is something that was introduced into this bill as a result of amendments by Labor during the debate, which I have since further developed and refined. Under the regime in this bill, recreational breeders are also exempt from the requirements to register with their local council. However, they are still subject to most other offence provisions in the bill, including compliance with the Breeding Code, caps on dog numbers, litter limits, vet checks, heritable defects and more. Reputable organisations will support this as it replicates their policies already.

I have also introduced some robust requirements for the approval of applicable organisations by the Minister, which were missing from the amendments that Labor put up in the last parliamentary term. This was essential. We have become aware of breeding organisations being set up simply to fool the public that they are members of a breeding organisation. There are a few organisations with fancy websites and someone—practically anyone—can apply to become a member, with no inspections and no actual oversight that the person is complying with the codes or requirements of that organisation. Essentially, these are fake breeding organisations.

If we go with Labor's original amendment, we could be unintentionally creating a loophole for puppy farmers to thrive. By becoming a member of one of those dodgy breeding organisations, they become exempt from the bill entirely. This massive loophole simply cannot be allowed in this bill. Our amendment provides that before a breeding organisation can be approved, an applicable breeding organisation must provide to the Minister detailed evidence of their policies and procedures, including education and training provided to members about compliance with animal welfare laws; how they ensure their members have no prior convictions; and the details of how they inspect and oversee their members to ensure compliance with their own breeding code of ethics, including who within the organisation will conduct those inspections. These robust requirements ensure that only genuine breeder organisations who meet these high standards will be approved by the Minister.

Perhaps the most important element of the bill is that it provides that a breeding operation in New South Wales cannot operate with more than 10 fertile female breeding dogs or cats. Anyone who tries to do so will be guilty of an offence. This is absolutely critical. The Select Committee on Puppy Farming in New South Wales, chaired by former Labor member the Hon. Mick Veitch, MLC, found that, all other factors being equal, there is an inverse relationship between the number of animals at intensive breeding facilities and the ability to guarantee positive welfare outcomes for animals. Accordingly, limits must be placed on the number of dogs that can be housed at a breeding facility. That is why retaining the cap of 10 fertile female dogs, and no more, is important and why I have intentionally not allowed for any exemptions for so-called commercial dog breeders in this updated version of the bill.

The reason is this: You simply cannot give an animal a life worth living when she is locked in a large commercial facility and treated like a breeding machine. In addition to the known health and behavioural issues associated with these types of facilities, the fact remains that the community will never accept the intensive factory farming of companion animals. The community wants to see animals in loving homes, where they are given the best possible care and not kept in factories, where they are used as a mere means of production and profit. That is what the cap of 10 will achieve. It will stop these mega facilities from being able to legally exist.

Many people the Animal Justice Party has spoken to believe that 10 is still far too many, and of course we agree. That is 10 females, plus all the puppies that those 10 females can have, but it would be a significant improvement from no limit at all and is a compromised position between breeders and genuine animal welfare organisations. It is important to note that the cap of 10 female breeding animals does not just include animals kept onsite at a breeding facility. Over the past few years, we have seen the rise of breeding arrangements where breeders send animals home with members of the public, either for free or at a heavily discounted rate, subject to strict contractual conditions that they can be brought back a certain number of times for breeding.

Some puppy farm operators have hundreds of those contracts at any given time. I have heard horror stories of when these arrangements go wrong. People have contacted my office saying they are legally forced to send their dog back to one of these breeders for breeding, even though the dog comes home malnourished or anxious. One person told us that a breeder tried to force their dog to come back for breeding, even though their vet told them another pregnancy would put the dog's life at risk. They were told, "Too bad. The dog is our property and we will decide."

These animals become beloved members of a family. The fact that animals are considered property under the law becomes problematic when it comes to these arrangements. At the moment, people who try to break these contracts are often threatened with legal action. There are two issues here. First, the Animal Justice Party does not want to see people getting stuck in these contracts, especially when it is not in the best interests of the animal. To address this issue, the bill specifies that a person can exit one of these breeding arrangements at any time if they receive advice from a veterinary practitioner that the animal is unsuitable for breeding or if they pay the full market price for the animal.

Second, we do not want to see dishonest operators using these contractual arrangements to get around the 10 breeding animal cap imposed by the bill by farming out animals to third parties and bringing them back onsite for breeding. This will simply add further to the overpopulation and kill rate of more animals and increase the overall welfare risk of any business. With that in mind, the bill makes it clear that the cap on female breeding animals includes both animals kept onsite as well as any animal subject to one of these contractual arrangements. So if a person has five female dogs subject to a contractual breeding arrangement, they can only have another five onsite for a maximum of 10 female breeding dogs.

Another key element of the bill is that it will impose a maximum of five litters per breeding dog or cat. Right now there is no cap on the number of litters a breeding cat or dog can have in New South Wales. Females can be forced to pump out litter after litter for their entire lives. This overbreeding can create significant health problems for both the mother and her offspring. The bill also provides that breeders must not breed from a cat or dog if a heritable defect is identified in a previous litter, or with a dog or cat that is related by blood. Related by blood is defined in the bill to mean a parent, son, daughter, sibling, grandparent or grandchild of the dog or cat.

The bill requires that within two years the department must publish a code of practice dealing with heritable defects to provide greater guidance to breeders, noting that Victoria has a very robust guideline around this that could be used as a guide. On top of this, the bill also mandates that companion animal breeders and recreational breeders ensure various veterinary check-ups occur, both before a mother falls pregnant and annually, to ensure that all animals are receiving the proper care and are in a good state of health. It will also require that companion animal breeders and recreational breeders must have a health management plan created in consultation with a vet and must retire animals when they reach the maximum number of litters or a certain retirement age in the case of males. All retired animals must be microchipped, desexed and either kept as companions or rehomed.

Finally, the bill will also increase protections for companion animals by introducing staffing ratios. It is shocking to think that right now these mega puppy farms around New South Wales, with hundreds of dogs or cats, can legally have just one person attempting to run the facility. It is no wonder we are seeing cases where dogs are left severely neglected, without proper care or medical treatment. The bill will require that all breeders have at least one staff member at the premises for every 10 animals kept onsite to ensure that animals are properly looked after and cared for.

Next I will turn to the issue of pet shops, which are known to operate as smokescreens for puppy farms. They serve as a convenient way to sell puppies to the unsuspecting public, without revealing the awful conditions that they are bred and raised in. The reality is that reputable registered breeders do not sell to pet shops. DOGS NSW prohibits its members from selling or supplying puppies to pet shops, so it has to be asked: Where is the ready supply of animals to pet shops coming from? The answer is they are coming from puppy farms.

The Labor Party sought to remove the provisions regarding pet shops when my bill passed through the upper House in the last Parliament. At the time I accepted those amendments for the sake of getting the bill passed, but I could not in good conscience reintroduce this bill without ensuring that the loophole allowing puppy farmers to hide their practices by selling through pet shops was closed. If we allow pet shops to remain in this model, puppy farmers will simply go underground and sell illegally through pet shops, creating a false sense that puppy farming has been stamped out, all while puppy farmers continue to operate illegally and dodge the law by selling through pet shops.

It is not clear to me why pet shops oppose this change. If puppy farms become illegal and reputable registered breeders will not sell to them, there should technically be no supply to them anyway. The only way to truly stamp out puppy farming is by following other States like Victoria and Western Australia and ensure that pet shops work as rescue centres. Most ethical pet supply stores have switched to this model already and proven that it can be a profitable business model through the sale of items needed for a new companion. I understand that the decision to stop pet shops selling dogs and cats from breeders was the most popular provision of the Victorian reforms. This is simply not something the public find acceptable. It encourages impulse buying, which leads to animals later being dumped, and hides from the public the conditions of the breeder.

My bill, as reintroduced today, will prevent pet shops from selling dogs or cats, except from a rehoming organisation, which is already defined in the Act as including a council pound, the RSPCA, the Animal Welfare League and any rescue group registered with the Office of Local Government. This will allow pet shops to effectively operate as adoption centres and help take the burden off council pounds and animal rescues, which are overrun with dogs and cats in need of good homes. It will also prevent pet shops from selling dogs under six months old and cats under eight weeks old.

While we cannot legislate to stop online sales entirely, given we are looking at State legislation, to ensure that illegal puppy farms are not able to hide through online platforms, the bill will require that all animals sold online must have a source number. Under the bill, anyone looking to advertise a dog online must first apply for a source number. That applies not only to registered companion animal businesses but also to recreational breeders and microbreeders, animal rescue groups and even private individuals. Microbreeders applying for a source number will have to provide details of their qualifications in caring for companion animals, and they may be refused a source number if they cannot meet that requirement. This is primarily designed to catch out dodgy backyard breeders trying to exploit this regime.

This new source registry will ensure that if a council or an enforcement agency receives a complaint about an animal associated with a certain source number, it will be able to easily track down the location and check to

make sure it is not from a backyard breeder or an illegal puppy farm. It provides a strong traceability regime for all animals sold online. I note the bill also contains an enforcement regime that has been refined since the previous iteration of this bill.

The provisions in this bill do not commence until two years after assent, giving councils and enforcement agencies time to prepare for the new regime and to set up the new source number registry. It will also give breeders time to slowly rehome and reduce the number of animals in their care to meet the new caps.

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

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery student leaders from high schools across New South Wales who are attending the Secondary Schools Leadership Program conducted by Parliamentary Education and Engagement.

Questions Without Notice

STATE TAXES

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Treasurer. The Commonwealth budget reveals that the tax burden for the Commonwealth will reach an 18-year high this financial year, and the New South Wales 2023-24 budget predicts that the New South Wales tax burden—that is, the tax taken from citizens of the State—as a percentage of gross State product [GSP] will hit a 25-year high in 2024-25. Will the Treasurer confirm the pre-election promise of no new State taxes in this term of government?

The Hon. DANIEL MOOKHEY (Treasurer) (11:01): I thank the shadow Treasurer for his question. He is quite right to note that last night the Commonwealth handed down a budget, and that budget is important as a prime economic document for the nation. It contains various metrics by which people are able to judge the size of government, the size of revenue and the size of expenditure. In respect of the specific numbers contained in the Federal budget—I believe he said it was 25 per cent or 26 per cent of GDP—I will verify those numbers for accuracy. I have come to learn that the shadow Treasurer is diligent but often reads the numbers slightly wrong.

The Hon. Damien Tudehope: Point of order: It was a very specific question. I do not mind the Treasurer embarking upon a dissertation on the Commonwealth budget, but it is important that the Treasurer addresses the question. For the record, I did not make any reference to numerals relating to percentages in my question.

The PRESIDENT: I draw the Treasurer back to the question at hand.

The Hon. DANIEL MOOKHEY: The Hon. Damien Tudehope is guilty of innumeracy; that is true. Just like always when it comes to the shadow Treasurer, my approach is like President Reagan: Trust but verify. I will trust but verify the claims that the shadow Treasurer is making about the Commonwealth budget. He makes the point that, according to the 2023-24 New South Wales budget, GSP will be a 25-year high in 2024-25. I will go back and double-check. I will bring out the old budget papers and double-check whether he has in fact reached the correct conclusion on how those numbers have been interpreted. He asked me about whether it is going to reach a 25-year high in 2024-25. I am eager to check whether or not he was talking about real GSP or nominal GSP, so I will verify that.

The Hon. Damien Tudehope: Point of order: The Treasurer is seeking not to answer this question. It was a specific question about whether he will honour the commitment of no new taxes during this term of government.

The PRESIDENT: I understand the point of order. I upheld the last point of order because the Treasurer had strayed to make some pejorative assertions about the Hon. Damien Tudehope. Although the Treasurer is possibly not speaking now to the particular part of the question that the Hon. Damien Tudehope would like, he is being directly relevant to the question.

The Hon. DANIEL MOOKHEY: The Hon. Damien Tudehope asked me whether or not GSP will be a 25-year high in 2024-25. The budget is currently being formulated, so it would be premature of me to confirm what precisely the GSP percentage will be. In order for me to properly answer the question that I have been asked, I undertake that my staff will get the budget papers out from the past 25 years and check whether or not the GSP numbers will indeed be a 25-year high, which is what the Hon. Damien Tudehope is asking me.

ROAD TOLLS

The Hon. BOB NANVA (11:05): My question without notice is addressed to the Minister for Roads. Will the Minister update the House on the Minns Labor Government's \$60 road toll cap?

The PRESIDENT: The Hon. Natalie Ward is chatting a lot today.

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) (11:06): Thank you, Mr President, for that observation. I know the Hon. Bob Nanva has asked me this question before, but it is an important moment to give an update. The Government is deeply aware of the cost-of-living pressure that people are under. We know the toll burden is hitting families who can least afford it, and we know where it hits.

It has been made really clear that it hits the outer parts of Sydney, where people do not have access to public transport, particularly in Western Sydney. Those with fewer public transport alternatives end up paying tolls. That is why before the election we promised to deliver the \$60 weekly toll cap after people had lived for 12 years under what a former Liberal Premier simply called "toll mania". Drivers who spend on average \$200 per week on tolls will receive approximately \$7,280 in rebates each year. That is significant support for those families who are feeling the pressure now and are doing it tough.

I am pleased to inform the House today that we have marked one month of the \$60 weekly toll cap being in effect and are seeing payments flow back into accounts. Much-needed dollars are going into the pockets of drivers from outer Sydney suburbs. The toll cap applies to private trips taken on a New South Wales toll road, excluding those on the M5 South-West where the cashback scheme is in place. The rebate applies on a weekly basis and is paid quarterly. We are one month in, and the initial figures show that more than 47,600 claims have been made by drivers who have been able to claim for the first three months.

Rebate data for the first quarter has shown us that drivers are claiming an average of \$264 in cash back. This figure includes 706 drivers in Baulkham Hills, 659 drivers in Blacktown and drivers in Marsden Park, Auburn and Merrylands. Drivers in those areas are the biggest winners from the Government's \$60 toll cap. Drivers in Auburn, Lakemba and Wiley Park have received some of the largest average toll-relief returns. A total of \$46.8 million is available to 350,000 toll account holders. All that they need to do is open their MyServiceNSW account, click the claim button and the money will start to flow. We know people are under pressure, and that is why this measure is so important.

PUBLIC SCHOOLS FUNDING

The Hon. SARAH MITCHELL (11:08): My question is directed to the Minister for Finance, representing the Minister for Education and Early Learning in the other place.

The Hon. Damien Tudehope: In both capacities.

The Hon. SARAH MITCHELL: I acknowledge the interjection of the Hon. Damien Tudehope. Now that the Commonwealth 2024-25 budget makes clear that the New South Wales education Minister has failed in her demands that the Commonwealth substantially increase its contributions to New South Wales government schools, does the Minister stand by her election commitment that all public schools in New South Wales will be fully funded?

The Hon. Jeremy Buckingham: Point of order: The question clearly contains argument, which is the premise of the question. The question should be ruled out of order.

The Hon. Sarah Mitchell: To the point of order: Unless I missed something in the Federal budget yesterday, there was no money from the Commonwealth to meet the demands by the education Minister, so there is no argument in the question.

The Hon. Jeremy Buckingham: Further to the point of order: The Hon. Sarah Mitchell could have put it in those terms, but she did not. She chose to say "clearly failed", which is argument. The question is out of order.

The Hon. Damien Tudehope: To the point of order: If the Hon. Jeremy Buckingham is suggesting that the use of the word "failed" is argumentative, then the Minister can answer the question by saying that there has been—

The Hon. Penny Sharpe: You do not get to dictate how we answer.

The Hon. Damien Tudehope: But it is not argumentative if the Minister can rule it out.

The PRESIDENT: Unfortunately for the Leader of the Government, I agree with the Leader of the Opposition. There is no point of order. The Minister has the call.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:10): I welcome the question in my capacity as the Minister for Finance and as the Minister representing the excellent Deputy Premier and Minister for Education and Early Learning, who is doing a fantastic job of cleaning up the mess that she inherited from

the Hon. Sarah Mitchell. Let me make this clear: We cannot fix 12 years of neglect in 12 months. The Deputy Premier has done a pretty good job. When talking about what happened in those 12 years, a bit of news was released over the parliamentary break that might be helpful for members in this House. I think that classroom teachers increased. Was it 63?

The Hon. Sarah Mitchell: Point of order: I asked a specific question about whether the Government would deliver its election commitment that all public schools will be fully funded. The Minister should be directly relevant to the question that I asked.

The PRESIDENT: I uphold the point of order. It was a specific question. The Minister will answer the question.

The Hon. COURTNEY HOUSSOS: Mr President—

The PRESIDENT: Order! The Minister will resume her seat. The tactic that is emerging in which three members of the Opposition, two of whom sit at the table, pepper the Minister with questions before a word can come out of her mouth is not acceptable. I will call members to order if that behaviour continues. The Minister has the call.

The Hon. COURTNEY HOUSSOS: Thank you, Mr President.

The PRESIDENT: The Deputy Leader of the Government is not helping. I have not called members to order yet, but I will. The Minister has the call.

The Hon. COURTNEY HOUSSOS: The Federal budget was handed down last night. The Treasurer and I watched and listened closely to the Federal Treasurer's speech. We are working through the budget papers and working through the implications of the announcements that were made last night. I suggest to the Hon. Sarah Mitchell that she may have misinterpreted some of those numbers in the budget papers relating to the education agreements. They are five-year agreements that are currently being negotiated. I commend the Deputy Premier for—

The PRESIDENT: Order! The Minister will resume her seat. I made it very clear that members will cease interjecting while the Minister is giving her answer. The Minister has the call.

The Hon. COURTNEY HOUSSOS: The education agreement, the health agreement and, I believe, the national housing agreement—

The Hon. Sarah Mitchell: Point of order: Once again my point of order is relevance. I have not asked for a lesson on how Commonwealth and State agreements are negotiated. I am well aware of that. I have asked whether this Government will honour its election commitment that all schools will be fully funded. That is what I want to know.

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

The Hon. COURTNEY HOUSSOS: Mr President—

The Hon. Penny Sharpe: Point of order—

The PRESIDENT: Order! I call the Hon. Natasha Maclaren-Jones to order for the first time. Order! The behaviour of members is getting ridiculous. Student leaders from across New South Wales are in the public gallery and members are acting like schoolchildren—and not in a good way. I call the Hon. Wes Fang to order for the first time. I call the Hon. Wes Fang to order for the second time. Members will cease interjecting. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I would be delighted to update the House and, indeed, the school leaders who are in the gallery that the negotiations for the Federal education agreement are still underway. The Deputy Premier is continuing to negotiate. We absolutely stand by our election commitments and by our commitment to rebuild the schools that we inherited from the Hon. Sarah Mitchell. We will continue to advocate to our Federal colleagues to get a fair share of funding for New South Wales. [*Time expired.*]

NATIONAL CONSTRUCTION CODE

Ms ABIGAIL BOYD (11:16): My question without notice is directed to the Minister for Housing, and Minister for Homelessness. Yumi Lee, the CEO of the Older Women's Network, made the clear point yesterday at a forum in Parliament that inaccessible homes are a key driver in homelessness and of domestic abuse against women and children forced to remain in abusive households as a result of the inaccessibility of other housing options. The point was well made that signing up to the National Construction Code minimum accessibility

standard is a critical part of the strategy to tackle domestic and family violence in this country. The New South Wales Government's persistent failure to sign up to the code amounts to a failure to take the domestic violence crisis seriously. When will the New South Wales Government finally follow the overwhelming majority of States in Australia, including most of the east coast States, and sign up to the National Construction Code silver accessibility standards?

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) (11:17): I thank the honourable member for her question. The issue of the accessibility of housing is one that I am familiar with. I have met Yumi on a number of occasions. She is an important advocate for that issue and the issues of older women in particular. To be clear, all social housing in New South Wales—housing for which I am responsible as the Minister for Housing—is delivered to the silver standard. In fact, although we are not always able to achieve it, we make every effort to ensure that housing is delivered to the gold standard. But the silver standard is the minimum for social housing in New South Wales for all of the reasons that the member has identified. People who live in social housing are often elderly or frail, or have mobility issues. Perhaps they have other disabilities. It is important to me as the Minister for Housing that the housing for which I am responsible is delivered to that standard.

The issue of whether that standard is mandated for all housing in New South Wales is not my responsibility; it is the responsibility of Minister Chanthivong as the Minister for Building and Minister for Better Regulation and Fair Trading. I do not represent him in this Chamber; Minister Sharpe does. However, with respect to the question that the member asked, which is valid and important, we can take it on notice and get clarification from him as to what his considerations are and what timing he might have in relation to that. I do not have that information to hand for all housing stock in New South Wales. But I acknowledge that the member raises a valid issue. For women who are in dangerous situations, the ability to access housing is a critical path to safety.

Sometimes it is an affordability question, sometimes it is an availability question and sometimes it is an accessibility question. In particular, elderly women or women with disabilities need to be able to access housing that allows them to live their lives with dignity—so they can get around and shower and all of those important things. It is important that we have housing available to meet those needs. I thank the member for the question and give her a commitment that all social housing meets that standard. I will come back with additional information from the relevant Minister in relation to all housing stock in New South Wales.

Ms ABIGAIL BOYD (11:19): I ask a supplementary question. I thank the Minister for her answer and for sharing the concerns that I raised. Will the Minister, as the Minister for Homelessness, please elaborate in particular on whether she has made representations to the Minister responsible for making the decision to lobby in favour of New South Wales finally signing on to the National Construction Code silver accessibility standards?

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) (11:20): I thank the member for her supplementary question. I have been engaged in whole-of-government conversations about that. As I said, I do not lead on that matter; it is led by another Minister. The processes in relation to those decisions are ongoing. The member is correct: As Minister for Homelessness, I am concerned about making sure that the gaps in the availability of housing stock that might lead someone to become homeless are addressed. This is one of those gaps, and I accept that. I have met with many advocacy groups including the Older Women's Network, the Physical Disabilities Council of NSW and other groups that have an interest in ensuring that housing is accessible. I am engaging in those conversations.

The issue of accessibility of housing came up yesterday. It is one barrier, but it is not the only barrier. Another that I am engaged with and working through is the capacity of people to have pets in rentals. That is another barrier that, as Minister for Homelessness, I recognise exists. The fact that many people cannot take their beloved pets into private rentals is a barrier that drives them into forms of homelessness or staying in violent relationships. That is the premise of the question. The member is right to draw the attention of the House to the fact that there are barriers to housing including availability, accessibility and affordability of housing stock that cause people to experience homelessness. I am engaged in a whole-of-government conversation on what we can do to ensure that those barriers are addressed. I will continue to do that on this particular issue with the relevant Minister.

COMMERCIAL FISHING INDUSTRY

The Hon. EMILY SUVAAL (11:22): My question without notice is addressed to the Minister for Agriculture. Will the Minister update the House on how the Government has delivered on its commitment to support the establishment of a peak body for commercial fishers?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:22): I thank the member for that very important question. Peak bodies assist industries to provide independent advocacy on behalf of their sectors to government and the broader community. The annual total value of New South Wales wild harvest commercial fisheries is \$90 million at first point of sale. It contributes \$170 million to the State's economy each year and directly employs more than 1,600 people. Commercial fishers have worked hard to create a unified and independent voice to engage with all levels of government to ensure that our world-class sector is appropriately consulted on the issues and opportunities it faces. I am pleased to advise that the New South Wales Government is delivering on its election commitment to support the establishment of a peak body for the commercial fishing sector.

The new body, the Commercial Fisheries Industry Association, or CFIA, was developed through an industry-facilitated process involving stakeholder-wide consultation to establish a united peak industry body to provide advocacy to government. I am pleased to report that the Government announced the appointment of Mr John Wilson as the inaugural chair of the CFIA. Mr Wilson has ample experience in the seafood industry and I trust that under his leadership the commercial fishing industry will have an effective and principled advocate. The New South Wales Government recognises that the commercial fishing industry has certainly faced significant challenges over the past couple of years and is committed to working closely with commercial fishers to build a stronger industry for the future. Our work in delivering the support for and establishment of a peak body is a key example of that.

I acknowledge that it has taken quite a significant amount of work for the industry to come together to reach agreement on how the peak body could work with the support of the New South Wales Government. I look forward to the work that they will deliver on a united front in representing the industry. There are a number of challenges and opportunities for the sector. Getting the parts of the sector together to reach this point of unity has been quite a piece of work. I congratulate people on coming together to do that. The CFIA will focus on industry representation and advocacy on those issues. It will start building the industry's capacity to participate in shared decision-making as well as consultation and communication with commercial fishers. The CFIA will work with the Government to support and develop our already outstanding commercial fishing industry. I look forward to working closely with Mr Wilson and the rest of the board to ensure the entire New South Wales seafood industry continues to be viable, profitable and sustainable well into the future.

GST DISTRIBUTION

The Hon. MARK LATHAM (11:25): My question is directed to the Treasurer. I draw the Treasurer's attention to data in the Federal budget paper showing that, nationally and in this decade, taxpayers will fund \$52.9 billion for the "no worse off" guarantee in GST distribution, meaning that as a proportion New South Wales taxpayers will pay \$17 billion to continue the subsidisation of the resource-rich Western Australian economy while at the same time watching New South Wales year on year receive a lower proportion of Commonwealth funding. Will the Treasurer now adopt a no-cooperation strategy with the Commonwealth to force an end to this fiscal rip-off of our State, the worst in the history of Australian federalism?

The Hon. DANIEL MOOKHEY (Treasurer) (11:26): I thank the member for his question. Insofar as he asked me to confirm the figures in the Federal budget, he read them correctly. Over the course of 2019-2029 that arrangement, according to the Commonwealth budget papers, will cost the Commonwealth Government \$52 billion. The member deduced how much of that Federal money has come from New South Wales through Federal taxes as well. I will take one step back. This is further proof that since 2018 the system has been absurd.

When the previous Federal Government entered into this arrangement, it called into question the legitimacy of the entire distribution and it fundamentally remade the principles by which we allocate GST, so much so that we now have a situation where one State cannot go backwards as much as others. To put it in really simple terms, whenever Western Australia has an iron ore boom, it keeps the majority of that. When New South Wales or Queensland get coal, we distribute it through GST. That is the inequity. As for the member's suggestion that I should adopt a non-cooperation campaign—

The Hon. John Graham: I thought you had.

The Hon. DANIEL MOOKHEY: Arguably, the Commonwealth may say I already have. I can only assume the member is using non-cooperation in a Gandhian sense. I am not yet prepared to lead a salt march on the Commonwealth or otherwise engage in that type of strategy, but it is fair to say—

The Hon. Dr Sarah Kaine: A hunger strike.

The Hon. DANIEL MOOKHEY: Now that members mention it, I would not rule it out. It is fair to say that we have made it clear to the Commonwealth that we expect to work in partnership with it to land a health agreement that sees the Commonwealth meet its fair share of the responsibility for our hospitals. It is fair to say

that we expect the Commonwealth Government to help us deliver world-class public schools in New South Wales and, dare I say, around the country. Equally, there is an expectation from us and an opportunity for us to partner with the Commonwealth to deliver essential services to the standard that people expect. I will cooperate with any Commonwealth Government that helps us meet those tasks.

The Hon. MARK LATHAM (11:29): I ask a supplementary question. Will the Treasurer elaborate on his mention of Gandhian and non-cooperative strategies and confirm that last month he and the Premier announced that when it came to Federal-State funding arrangements, including changes to the NDIS, New South Wales would be the last to sign on and was in fact starting to be uncooperative, given the extent of the fiscal rip-off of our State? Has that strategy now been abandoned?

The Hon. DANIEL MOOKHEY (Treasurer) (11:29): No, it has not been abandoned at all. As we said last week, and last year, New South Wales will be the last State standing if that's what it takes to ensure we get what we need to deliver public hospitals and public schools to the standards expected. I will take the member up on his invitation for me to narrate this strategy in Gandhian terms. Like Gandhi taught us all, struggle takes time and justice is not delivered overnight. The member makes reference to the Gandhian approach. Gandhi launched his campaign from South Africa in the 1890s. He took it into the 1910s and 1920s and concluded it in 1947. It is fair to say I am willing to commit myself to a 60-year struggle for a further GST share and am prepared to stay for as long as it takes to get the GST deal that this State deserves. I am happy to weave cotton if that is what it takes to get the outcome that New South Wales needs. I am here for the long march—but, of course, the people of New South Wales would have to return us to government for the next 60 years. So far, so good—I think we are on track.

The PRESIDENT: I welcome to the Parliament student leaders from high schools across New South Wales who are attending the Secondary Schools Leadership Program conducted by the Parliamentary Education and Engagement team. You are all very welcome today.

M7-M12 INTERCHANGE

The Hon. NATALIE WARD (11:31): My question is directed to the Minister for Roads. Now that the Commonwealth 2024-25 budget makes it clear that the New South Wales Labor Government has failed to persuade the Commonwealth Labor Government to restore the slashed funding for the M7-M12 interchange, when will the Minister guarantee that the New South Wales Government will fully fund and complete this project as scheduled?

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) (11:32): I am glad the shadow Minister has asked me about the Federal budget because it was very good news on the infrastructure side for New South Wales. Some of that we knew. In fact, the Treasurer updated the House, and last week I also talked in the House about what it meant for Western Sydney: \$1.9 billion.

The Hon. Damien Tudehope: You got money back that was already allocated! It was money that they took away.

The Hon. JOHN GRAHAM: The Leader of the Opposition is right: We got money back that had otherwise been taken out of the Commonwealth pipeline. That is absolutely true. Some \$3½ billion was taken out of the 10-year pipeline relevant to New South Wales and much of that money has flowed back—\$3.1 billion of it. But what the Leader of the Opposition might have missed in the budget last night was that an additional \$1.4 billion has been added on top of that. We are well ahead in that long-term pipeline.

The Hon. Natalie Ward: Point of order: I thank the Minister for his dissertation on the Commonwealth budget, but my question was very specific. I ask that he be drawn back to the specific question about the M7-M12 interchange and when the New South Wales Government will fully fund and complete this project as scheduled, not more generally about the Commonwealth budget.

The PRESIDENT: I ask the member for a copy of the question.

The Hon. Courtney Houssos: To the point of order: This is a pattern of behaviour from Opposition members. They have a long lead-in and then ask a specific question. The standing orders are clear: Ministers need to be directly relevant to the question asked. The Deputy Leader of the Government was being directly relevant to the long lead-in the member provided and is therefore being directly relevant to the question.

The Hon. Damien Tudehope: To the point of order: When I went to school some time ago and we used to parse sentences, the lead-in was not a question but a sentence. As the Hon. Natalie Ward correctly identifies, the question, which should be answered, is contained in the question and not the sentence that precedes it.

The PRESIDENT: I appreciate the contributions of all members to the point of order. It is an interesting intellectual point. Having seen a copy of the question, my contention is that the letter "Q" implies that all of this is the question. This is question time. When a shadow Minister—or a member of the Opposition or the crossbench—asks a question, all that they say forms the question. That being said, it is clear that within that question there is a very specific point being asked about the M7-M12 interchange. While the Minister is currently being directly relevant, I instruct him to be directly relevant to the M7-M12 part of the question.

The Hon. JOHN GRAHAM: Let me be specific about the M7-M12 interchange. The shadow Minister is entirely correct that in the billions of dollars that are flowing to New South Wales, that is not one of the projects funded. That is why the Government will fund that and ensure its completion. We will absolutely do that. But the shadow Minister got in the way of me putting a gentle view about that Federal Government pipeline. It has improved, but it is still not quite good enough. That will continue to be the position of the New South Wales Government.

Let me tell members where we have got to. Last year's Federal budget was delivered, effectively, as we came to government. At that time New South Wales had 22.8 per cent of the Federal pipeline, which was not good enough. This State has about one-third of the national population yet receives just 22.8 per cent of the pipeline. That was the paltry share of the Federal Government infrastructure pipeline we were left with after the negotiations by former Treasurer Matt Kean. We were the State sitting in the corner, wearing the dunce's cap, who no-one would talk to and no-one would share their toys with. Where are we up to now? As of last night that has jumped to 24.2 per cent of the pipeline. That is good news, but I will be clear that it is not good enough. We expect to be up—

The Hon. Sarah Mitchell: What are you going to do about it?

The Hon. JOHN GRAHAM: We are up 2 per cent already in a year. We are billions of dollars better off. We will stick to the plan and put pressure on the Commonwealth. We expect those opposite to join us. But what a great result in just a short time. There is more to do.

The Hon. NATALIE WARD (11:37): I ask a supplementary question. I thank the Minister for his assurance that the M7-M12 interchange is fully funded and will go ahead. Will he elaborate on his answer in relation to whether the project is according to schedule and when it will be completed?

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) (11:37): I will be careful to take the specifics of that on notice and come back with an answer shortly. It is an entirely sensible question. We have immediately switched to State funding to keep that project rolling, but it is a very reasonable question and I will answer it specifically on notice. As to the Opposition provocations, we have put a strong view to the Commonwealth that it has to do better. We had the support of those opposite, which was welcomed. But when the billions of dollars flow back to the State in the Federal budget—

[Opposition members interjected.]

When we go forward \$1.4 billion over where we were at the start of this arm wrestle, we expect a little bit of cheer and good humour from those opposite—a mild celebration. They do not have to pop out the party balloons but the occasional streamer over the Chamber would be welcomed at that moment. I correct the false view of the Leader of the Opposition that we went backwards. In fact, he was a couple of billion dollars out; I can see why the Treasurer is checking his numbers. This campaign will be going on not just for this budget or the next budget—in his previous answer the Treasurer declared until 2084! We will have another go round on this campaign, but as we examined the details overnight it was a very good result.

The PRESIDENT: Before I call the Hon. Anthony D'Adam, I welcome to the Parliament students from Riverstone High School who are participating in the Legal Studies and the Legislature program conducted by the parliamentary education team. You are all very welcome today.

WILDLIFE REHABILITATION GROUPS

The Hon. ANTHONY D'ADAM (11:39): My question is addressed to the Minister for the Environment. Will the Minister inform the House about what action the Government is taking to support the wildlife rehabilitation and care sector?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:39): I thank the member for his important question. Looking after our wildlife is an incredibly important part of the puzzle in protecting threatened species. That is mainly done through the volunteer sector. Wildlife rescuers and rehabilitators are essential to the care and survival of native animals across New South Wales. There are over 40 wildlife rehabilitation groups that involve more than

8,600 people who rescue more than 110,000 animals per year. The sector is mostly made up of volunteers, and I thank them for their efforts. They respond to more than 180,000 calls for help every year. I am very lucky to have met with many of them. Whether they are caring for a bat, a mountain pygmy possum, a koala, a kangaroo or a snake—

The Hon. Bronnie Taylor: Platypus!

The Hon. PENNY SHARPE: —and platypus as well, they are absolutely dedicated, and that is hard work. Sometimes that work involves two-hour feedings every day for six months. Native wildlife is under threat for a whole range of reasons, such as the bushfires in 2019 and 2020 which we are still recovering from and in which we believe we lost over one billion animals. The Government is committed to supporting the volunteer wildlife rehabilitation sector. We are already investing an additional \$8 million into the sector, and that is on top of the sector strategy developed by the previous Government, which is about \$6.5 million. The Government will be working on the gaps and on the way the sector is built for the future, ensuring it is sustainable and that the people who work in it are supported.

Wildlife rehabilitation groups face a range of challenges, including social demographic changes impacting on volunteer participation, and the mental health and wellbeing of volunteers. Many of the animals that volunteers look after do not survive. We need resources to support volunteers, many of whom do not earn a lot of money, and we also need skilled vets and nurses. I have asked the Parliamentary Secretary for the Environment, Ms Trish Doyle, member for Blue Mountains, to review the sector so the Government can redevelop it, fill in the gaps and set it up for the future. Wildlife rehabilitation sector stakeholders have an opportunity to have their say and tell us what they need so we can support them in the future and so that native animals and their carers are cared for.

MEDICINAL CANNABIS AND ROAD SAFETY

The Hon. JEREMY BUCKINGHAM (11:42): My question is directed to the Minister for Roads. In February over 11,000 New South Wales citizens petitioned the Government to allow unimpaired legally prescribed medicinal cannabis patients the ability to drive. In the Minister's response to the petition, the Government committed to further research and to consider potential law reform. Will the Minister update the House as to what research or progress, if any, he has made on the issue?

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): I thank the member for his question. As I have indicated to the House before, the member is a long-term campaigner on issues like this and also a vigorous campaigner in recent years, and I recognise that. The member is entirely correct that he has asked about it before, and I have indicated a couple of things. The Government understands the problem that the member is describing, which is about people who may fall foul of the road rules or the testing regime because they are effectively taking medicine under the guidance of their doctor. Like in other jurisdictions, the New South Wales Government is open to talking through the issues.

As I indicated in the response to the petition, the issue is complex. As members know, the road toll is rising and, as I have previously said, a range of detected substances, including cannabis, are showing up in road toll statistics. There is no getting around that fact. Those are the issues that other jurisdictions along with New South Wales are balancing. The member is correct that the Government has initiated further research. The Centre for Road Safety has initiated some of that research. I will take the detail of that on notice because I should get the member a precise update about it. That was also the subject of discussion at the National Road Safety Conference of Ministers in April. The Minister for Transport, the Minister for Regional Transport and Roads and I met with the Federal Government and other police and road safety Ministers.

Consideration of the issue is happening in other jurisdictions, including notably in Victoria where they are leading some of the research agenda. One of the things discussed between the jurisdictions is that we would like to share any of the research we have in this area. We will do that cooperatively with any other State, but we have also asked that some of that might be coordinated through that national forum. It is a good place for jurisdictions to compare notes on what the research is telling us and what is working or what is not working on the ground. That will be an important forum to have that discussion. I will take on notice the specifics of where the New South Wales research is up to. I want to get the latest information for the member. It is certainly an active discussion. The Government has also signalled that there will be a drug summit, and the Premier and the Minister for Health have been clear about the terms and the timing of that.

RED IMPORTED FIRE ANTS

The Hon. BRONNIE TAYLOR (11:46): My question is directed to the Minister for Agriculture. Now that the Commonwealth's 2024-25 budget makes it clear that the New South Wales Government has failed to secure its share of the additional Commonwealth funding for the national red imported fire ant eradication

program, how will the Minister make up for the shortfall in needed funding to deal with a real threat to the entire livestock industry in New South Wales?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:47): I thank the member for the question. As I have outlined many times in this House, a significant amount of work is underway and a significant financial investment has been made to deal with the threat of red imported fire ants in New South Wales. In recent times the Federal Government outlined some additional resources for that fight, which was welcome. Yesterday I provided an update to the House about a new nest that was discovered last week in South Murwillumbah. I have pride in the team in that area. They are part of the national eradication program and were able to eradicate those ants from that site the very day they were found.

Work will continue on eradicating the problem in New South Wales; it is a priority for this Government. We do not want red imported fire ants coming from Queensland into New South Wales. In order to stop that we have our own arrangements in place, which I have outlined many times in the House, including border operations, signage and educating people about what materials they can and cannot bring across the Queensland-New South Wales border.

The Hon. Bronnie Taylor: Point of order: Although I very much appreciate the answer that the Minister has given so far, she should be brought back to answering the question about no funding in the budget—the first part of the question—and how the shortfall will be made up to deal with the real threat. The Minister should answer the question. We are over halfway through the answer.

The PRESIDENT: The question was about how the Minister will make up for the shortfall. The Minister is detailing exactly what the Government is doing. The Minister has the call.

The Hon. TARA MORIARTY: I will continue to talk about what the New South Wales Government is already doing to manage this threat. We all need to play a part in managing all biosecurity threats across New South Wales. I remind members that the previous Government had \$15 million on the table for eradication of red imported fire ants and, with thanks to the Treasurer, I have upped it to \$95 million to be part of the national eradication program. That money is being spent on the ground right now to deal with the things that I was outlining, such as border control operations, which include police checking materials that are coming across the border; biosecurity orders that are in place where they are needed to stop people from bringing materials such as plants, mulch, sand and the like across the border without having it checked for red imported fire ants; educating the community; and socialising the message about red imported fire ants so that people understand the threat and what to look out for.

That education program is a significant part of all of our biosecurity work, including dealing with red imported fire ants. The community needs to get involved to understand how to identify these ants. If they think they have identified them, they should call the relevant number at the department and we can go in and eradicate them from sites where they have been discovered, just as we did last Thursday.

The Hon. BRONNIE TAYLOR (11:50): I ask a supplementary question. Will the Minister elucidate her answer and inform the House whether she has spoken to the Federal Minister responsible who funded only Queensland and not New South Wales for the red imported fire ant eradication program?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:51): I thank the honourable member for the supplementary question, asking whether I have spoken to the Federal agriculture Minister. Yes. I speak to the Minister—

The Hon. Bronnie Taylor: Since yesterday?

The Hon. TARA MORIARTY: That wasn't the question. I speak to the Federal agriculture Minister fairly regularly and I raise issues, most of which I outline in the House, advocating for the needs of New South Wales across the sector. I will continue to work with the Federal Government and I will press it when it should deliver more support for New South Wales. I continue to raise these issues, either directly with the Government or through the agriculture Minister council meetings as appropriate. We have delivered additional funds in New South Wales. I remind honourable members there was \$15 million from the New South Wales Liberals and Nationals in the previous Government and there is \$95 million from the Labor Government. That is a significant investment from this Government to deal with this issue and we will continue the so-far successful work that has been underway to deal with those ants. We need everybody to play a role; the community must get involved.

We will continue to invest in educating people about what to look out for, what the rules are and what not to carry across the border, to make sure that New South Wales is not exposed to those issues. Generally, where we have problems in New South Wales it is due to human error. We are educating people about the rules so that

everybody can play a part in identifying this problem and report it to us. Last Thursday people identified this problem in South Murwillumbah. They contacted my department and on the same day the ants were taken out of the site where they were found. We will continue that operation with the \$95 million that New South Wales has committed to the national program. I will continue to press the Federal Government to do everything it can to assist New South Wales and the rest of the country to eradicate this problem.

BONNYRIGG HOUSING ESTATE

The Hon. CAMERON MURPHY (11:53): My question is addressed to the Treasurer. Will the Treasurer inform the House about his recent visit to the Bonnyrigg Housing Estate in the electorate of Cabramatta?

The Hon. DANIEL MOOKHEY (Treasurer) (11:53): I thank the honourable member for his question and I thank the member for Cabramatta, Tri Vo, for hosting me recently and taking me out to see the amazing social transformation that is taking place in Bonnyrigg. Apart from it being a great opportunity for me to meet with the leadership and principal of Bonnyrigg High School, a fantastic educational institute, I also had the opportunity to meet with members of St George Community Housing. It is doing a fantastic job on the corner of Humphries Road and Cabramatta Road opposite the Our Lady of Mt Carmel's Catholic Church. I was there to see for myself the work that it has been doing now for nearly two decades to transform the Bonnyrigg Housing Estate. It will increase the total number of homes there to 3,000 from what was previously 900. It is a huge example of not only more social housing but also social housing being used as a catalyst for urban renewal and redevelopment done in partnership with community. This is a community-led design around community facilities. This is exciting and excellent work.

It is fascinating that it was kicked off in 2004. It has been underway for nearly 20 years and there is more to come. It was the first example of governments partnering with community housing to do urban renewal. A lot of the work that took place in Bonnyrigg set precedents that were then applied in Minto and elsewhere. It provides us a real opportunity to learn the lessons that have been going on there. The work on the program took place in stages. Stages one to 11 are on track. What is exciting now is that with the creation of Homes NSW and the excellent work that the Minister for Housing is doing, Homes NSW is now in a much better position to coordinate the work that is required by government to turbocharge the rollout of these urban renewal programs.

Of particular interest about how the program is evolving is that it integrates tenancy management and property services to support social housing. As everybody knows, no-one in social housing relishes the prospect of dealing with government. Part of the reason for partnering with community housing is that there is far more devolution to community-controlled outcomes. It is fantastic work. I congratulate St George Community Housing. I thank Tri Vo for taking me there and the Minister for pioneering some of these reforms. We have a lot of lessons to learn from it. We intend to roll it out elsewhere.

LOCAL GOVERNMENT WOMEN'S REPRESENTATION

The Hon. TANIA MIHAILUK (11:56): My question is directed to the Leader of the Government, representing the Premier. NSW Labor has just closed its preselection process for Canterbury Bankstown council with two men selected into the winnable positions of Bankstown ward. Of note, two young women were told directly and indirectly they need not nominate. As a senior leading woman and a key woman within the NSW Labor leadership—second-most senior, in fact—what support, if any, has she offered to ensure that young and talented women are selected to represent Labor across local government and especially at the largest council in New South Wales, Canterbury Bankstown?

The Hon. Daniel Mookhey: Point of order: It is well and truly established that Ministers can only be asked questions that relate to their commission and the matters for which they have public responsibility. There is strong precedent that party management does not fall within the scope of ministerial responsibility and, therefore, the question is out of order.

The Hon. Tania Mihailuk: To the point of order: The Leader of the Government often acts as the Premier of the State. She is a senior woman within the NSW Labor leadership. I am sure she spent a lot of time on the administrative committee of the Labor Party as well. My specific question is about what is she doing to support young and talented women, ensuring that they represent Labor across local government, but especially Canterbury Bankstown council. The question gives her enough latitude to give the House some sort of answer.

The Hon. Mark Latham: Never on the admin? How lucky are you.

The Hon. Penny Sharpe: Never. One of the few points of relief.

The Hon. Mark Latham: To the point of order: There is immediate precedent. Just yesterday two questions related to party management—as to whether the Labor Party would maintain the member for Newcastle in its Labor Party caucus—were ruled in order. On that basis your own President—

The Hon. John Graham: You were on the admin.

The Hon. Mark Latham: I was never on the admin. I am as smart as the Hon. Penny Sharpe. You never want to go there; it's the dregs of the Left. The assistant secretary—

The Hon. Penny Sharpe: Who did you have representing you?

The Hon. Mark Latham: If I was there, no-one ever told me. Thankfully, I was never there. These are party management matters that are obviously in order and of great relevance. But yesterday, left in order, the precedent about Mr Crakanthorp obviously applies today.

The Hon. Daniel Mookhey: Further to the point of order: In respect of the contribution made by—

The PRESIDENT: Order! The Hon. Rose Jackson is not helping.

The Hon. Daniel Mookhey: Firstly, because apparently we have to declare this, I too have never been a member of the administrative committee. Further to the point that was raised by the Hon. Tania Mihailuk, I concur that the Leader of the Government is an excellent leader. The point still remains that questions can only be asked about matters for which they exercise ministerial responsibility. No-one exercises ministerial responsibility when it comes to party management because, by definition, it is not possible.

Secondly, to the extent to which the Hon. Mark Latham makes the point about yesterday's question time, I make the point that those questions were different. Those questions were arguably also out of order. Nevertheless, they were not challenged on the basis that they were framed far more to do with whether or not a person has a right to continue as a member of the Government, which is clearly a distinguishing factor from whether or not the Government is responding to a matter that is taking place in a local government preselection.

I make the final point that the standards that are defined in this House are obviously different to the standards applied in the other place. When it comes to this question, I tried in opposition for many years to get people to explain the Liberal Party's inner goings-on and I failed. To be fair, that was well and truly beyond their responsibility, but I make this point: There is a reason why this precedent has been in place and enforced over many years.

The PRESIDENT: I encourage members to consider the publication *Concise guide to rulings of the President and the Chair of Committees*. On page 31, it reads as follows:

Questions regarding affairs of a political party not in order: Questions relating to the affairs of a Minister's department or office are in order, however references in a question to the affairs of a political party are not in order.

That was ruled by President Burgmann and cited by President Harwin, President Ajaka and me, in fact. The question is ruled out of order. On the Hon. Mark Latham's point, I say this: The Treasurer is compelling in two points that he made. The first is that there is a fundamental difference between talking about the Labor Party preselection processes for a particular council and a member of the State Government in this place. The second is that the question was not challenged. If it had been, I would have considered it at the time. It was not, so I did not. The Leader of the Government has the call.

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

M7-M12 INTERCHANGE

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (12:02): In relation to the question I was asked by the Hon. Natalie Ward, I am advised that the M7-M12 interchange will be completed in 2026, in time for the airport opening. I am further advised that the project is on time and on budget.

Supplementary Questions for Written Answers

STATE TAXES

The Hon. DAMIEN TUDEHOPE (12:03): My supplementary question for written answer is directed to the Treasurer. Will the Treasurer confirm his pre-election promise of no new State taxes in this term of Government?

The Hon. Courtney Houssos: Point of order: A supplementary question for written answer is subject to the same standing orders as a supplementary question asked during question time. That question re-asks the initial question that the Leader of the Opposition asked of the Treasurer earlier in question time today.

The Hon. Wes Fang: To the point of order: Mr President, you indicated that the question asked previously had a long lead-in. I note that the question asked by the Leader of the Opposition in this House was quite short and to the point.

The Hon. Sarah Mitchell: Succinct.

The Hon. Wes Fang: It was succinct. Therefore, the question is not the same. The question is seeking an answer to that part of the question that was not answered and it stands in order.

The PRESIDENT: My fundamental premise is that I believe supplementary questions and answers to written questions should have as broad a gamut and remit as possible. I have some sympathy for the point that the Hon. Wes Fang just made. On this occasion I allow the question.

GST DISTRIBUTION

The Hon. MARK LATHAM (12:05): My supplementary question for written answer is directed to the Treasurer. Since the announcement that the New South Wales strategy is to be the last to sign on to Federal-State funding arrangements, where in practice is this applied? How has the Commonwealth responded? What impact has it had on correcting the enormous fiscal rip-off of New South Wales?

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.

PUBLIC SCHOOL FUNDING

M7-M12 INTERCHANGE

The Hon. DAMIEN TUDEHOPE (12:05): Today marked one of the highlights of the ineptitude of the Government in relation to its dealings with the Commonwealth. Question time is generally an opportunity for Dixers to be asked about things that are important to the Government. One thing we have to take notice of today is that there was not one question about the Commonwealth budget. Why is that the case? It is because the Commonwealth Government has in fact ignored New South Wales. Where do we start in terms of the questions which were asked today and the non-answers that were given? We start with the Treasurer. The Treasurer walked away from an opportunity to say how the Commonwealth Government had helped the fiscal position of New South Wales. In fact, he talked about anything but the Commonwealth Government. He had an opportunity to praise it. Did he praise it? No. Did he attack it? No. He would do anything but talk about the Commonwealth budget.

The Minister for Finance, representing the education Minister and in her capacity as the Minister for Finance, had the opportunity to talk about the lack of funding and ensuring that the public school system in this State was properly funded. She was silent because there was nothing in the budget supporting public schools in New South Wales. There was silence about the Commonwealth budget and what opportunities there are for New South Wales. The Minister for Roads wanted to tell us about a great win for New South Wales in that we have received \$1.9 billion in funding and last night an additional \$1.4 billion was included. What great news! He wanted us to cheer because the Commonwealth Government had delivered an additional \$1.4 billion for infrastructure projects in this State. What he always fails to acknowledge is that this is money that was ripped out of New South Wales and was given back. What we get from the answers today is that the Commonwealth budget betrayed New South Wales. [*Time expired.*]

MEDICINAL CANNABIS AND ROAD SAFETY

The Hon. JEREMY BUCKINGHAM (12:08): I take note of the answer given today by the Hon. John Graham, Minister for Roads, regarding my question on the push by many in New South Wales and across the country to have legally prescribed medicinal cannabis patients, who are unimpaired, afforded the ability to drive on our roads. I place on the record my concern at part of the roads Minister's answer, where he used the words, "Some of these patients may well be falling foul of the law." He seemed to equivocate on whether there are legally prescribed medicinal cannabis patients being fined or losing their licences because they tested positive for cannabis at a roadside drug test. The answer is: There are. In fact there are thousands of them. Thousands of people in this State are losing their licences, losing their jobs, losing—especially in regional areas—their capacity to drive because they are testing positive for cannabis at a roadside drug test, when they are taking that cannabis in accordance with their doctor's prescription. That is utterly untenable.

I welcome the fact that the Minister has got the Centre for Road Safety doing some research and that this issue has been raised at a national forum of roads Ministers. And well it should be, because this is a national issue.

Australia is the fastest growing medicinal cannabis market in the world. We are the largest medicinal cannabis market in the world. In this country right now, hundreds of thousands of people take medicinal cannabis, which is saving their lives, dealing with their epilepsy, cancer, multiple sclerosis or chronic pain. They are risking their livelihood, they are risking their licence, because our road laws have not been kept up to date.

I have been pursuing this issue and getting the data on cannabis road deaths. From the data we can see that a tiny fraction of fatalities on our roads are related to people driving under the influence of just cannabis. That is a correlation, not a causation. We can allow legally prescribed medicinal cannabis patients the ability to drive if they are doing so under their doctor's instructions. There is a law in Tasmania that is a carve-out for these patients. We should adopt it here in New South Wales, and we should adopt it now.

PUBLIC SCHOOLS FUNDING

The Hon. SUSAN CARTER (12:11): I take note of the answer—or, frankly, the non-answer—given by Minister Houssos in relation to a simple question: In light of the Federal budget, will all public schools be fully funded? It was disappointing that a clear answer was not given to this question, which is fundamentally important to the parents of the State, especially because we have already seen—before the budget and outside the budget cycle—a \$148 million cut to public schools in New South Wales. It is a cut across schools of roughly 1¼ per cent. This might not sound like much, but it is money that has to be made up, and who is going to be asked to make up that money? The parents of at least one high school have been told, "We will try and make it up with P&C money." How much is going to be made up with P&C money? In that particular high school it is \$150,000. That is a lot of sausage sizzles. How many onions are going to have to be cut by how many parents to make up \$150,000, outside what they were already expecting to have to raise to support their children and their school?

This off-loading, this reduction in funding, is already a backdoor tax on parents. They are parents who have already lost money from the slashing of the Active Kids vouchers; parents who have already lost money because the Creative Kids vouchers are gone; parents who have already lost because of changes to Back to School vouchers. These are the same parents that we cannot give a clear answer to today about the maintenance of funding for the schools in the State—parents who are already being asked to make up additional moneys to pay for their children's schooling. We all support education. We all want children to thrive and have the best. We want clear understandings from this Government: As it has promised, will our schools be fully funded? Or will parents be asked to keep putting their hands into their pockets for more and more, at a time when those pockets are running empty because of the other imposts on parents and family life?

STATE TAXES

GST DISTRIBUTION

The Hon. MARK LATHAM (12:14): I take note of answers given by the Treasurer and I ask the fundamental question: Where has the Government's fight gone? Last month, in the face of the rip-off from the Commonwealth Government over GST distribution, there were all sorts of fight and strategies being developed. It was announced that it would be the last government in the Commonwealth to sign up to the Federal-State funding arrangements; the NDIS reforms would not be easily accepted by New South Wales. Yet, last night in the Federal budget the situation was not only confirmed to the disadvantage of our great State; it actually got worse.

The situation got worse with the budget figures that were released in Canberra last night, particularly the news of how much money will be spent—a lot of it funded by New South Wales taxpayers—to try to maintain the subsidy that goes to Western Australia. Today, in response to my first question, the Treasurer had an opportunity to confirm the no-cooperation strategy, and instead he said New South Wales would sign up to school and health funding arrangements whenever it could. The strategy of non-cooperation was abandoned. Even in the answer to the supplementary question he was lukewarm in confirming what New South Wales would do.

Where has the fight gone—the fight of a Jack Lang, the guile and cunning of a Neville Wran, or even the bluster of a Bob Carr—in standing up to Canberra? If Jim Chalmers and Anthony Albanese watched the Treasurer's answers today, they would think to themselves, "How easy was it just to knock them over? That was like being whipped by a wet lettuce." The Mookhey response was the wet-lettuce response to Canberra. Chalmers and Albanese would be delighted. They would think, "In April, New South Wales was saying 'non-cooperation with these funding agreements' and the day after the budget—when the situation got worse, to the disadvantage of New South Wales—the Mookhey response was basically to surrender, to wave a white flag and to do nothing."

The Leader of the Opposition was right. The Government had an opportunity to have some questions from its own backbench to outline the strength of the New South Wales position in saying this outrageous fiscal rip-off could not stand. It is the worst in Australian Federation history; there is no doubt about it. The Treasurer calls it absurd, but today he had nothing to say about a valid New South Wales response to do something about it. This has got to be the weakest Labor Government we have ever seen. We have a Premier with basically no policy

agenda and, today, a Treasurer with no fight on the extent of the financial disadvantage faced by our State. It is very disappointing. As of today, the Commonwealth has effectively gotten away with it. What a sad moment for the New South Wales Parliament, the New South Wales people and the New South Wales Government. Albanese and Chalmers are chuckling to themselves on those responses. They have got away with it. The Government stands condemned.

STATE TAXES

GST DISTRIBUTION

The Hon. CHRIS RATH (12:17): I take note of answers given today, in particular regarding the budget. If members look at the Federal Labor budget, they will see it is a typical Labor budget. It is big taxing, and it is big spending; it is just not big spending in New South Wales. GST revenue is down. Budget cuts will definitely hurt the infrastructure rollout here. In terms of the answers given by the Treasurer today, he would not rule out higher taxes and he would not rule out no new taxes, even though before the last State election he made it explicitly clear that there would be no new taxes in New South Wales. Today he was given the opportunity to be clear.

A direct question was put from the shadow Treasurer about ruling out new State taxes, and he dodged it. He obfuscated. He decided not to recommit to that important commitment that he made during the last State election campaign, that solemn promise that he made of no new taxes. He then attacked the shadow Treasurer on some of the figures. They are important figures, and I will repeat them: an 18-year high in the tax burden at a Commonwealth level and the New South Wales budget predicts a 25-year high as a proportion of gross State product. It is not as though there is a lack of revenue. The tax burden is incredibly high. In attacking the shadow Treasurer, the Treasurer said, "I will quote Reagan and say trust but verify the figures." The Treasurer is not like Ronald Reagan; he is more like George H. W. Bush when he said, "Read my lips: No new taxes," before the 1988 campaign, only to then go about new taxes through the budget.

That is what the Treasurer is up to. He said no new taxes before the State election. Labor then gets elected, and we know what is coming—more taxes and higher taxes. The Treasurer had the opportunity today to rule it out and he would not. What a disastrous Federal budget. Look at all of the commentary that has come out today, from Ross Gittins of *The Economist* to the Financial Review. I like this one from Phil Coorey of the Fin Review, who says that Jim Chalmers is like a bloke "who successfully dieted for two years but crumbled after someone shoved a bucket of KFC under his nose". It is a great line from Phil Coorey. There is not a revenue problem; there is a spending problem. [*Time expired.*]

RENEWABLE ENERGY PROJECTS

The Hon. TANIA MIHAILUK (12:20): I take note of answers given to question on notice No. 1620, which I previously asked the Minister for Planning and Public Spaces through the Minister for Climate Change, and Minister for Energy. The question specifically related to comments that the Minister for Climate Change made at the Clean Energy Summit last year, where she stated that she will fast-track renewable projects in this State. I asked the planning Minister whether any amendments would be made to the Environmental Planning and Assessment Act to enable projects to be fast-tracked, and the answer was no.

In addition I asked how the Government intends to fast-track renewable infrastructure approval processes, given it is not intending to amend the Act. The answer was that the department will ensure that there are additional resources to support faster assessments, whatever that means. In addition, the department would be "exhibiting draft guidelines, which will help reduce additional information requests and delays through the process". It is essentially a non-answer.

I draw the attention of the House to an article in March which stated, "Transition to wind and solar to be blown off course by opposition, major energy companies warn." In that article, Ausgrid, the Australian Energy Market Operator [AEMO] and industry professionals say that these renewable projects—and indeed the transmission lines—will be delayed potentially up to four years or more and that there are significant delays. There are significant supply chain issues. There are significant workforce issues. There are significant costs associated with the attempt to try to move New South Wales to a renewable-only energy State.

I particularly note that Ausgrid, a major transmission provider of New South Wales, forecast that over \$16 billion of spending annually will be required for transmission project costs all the way out to 2050. AEMO and the industry also made it clear that New South Wales faces immense cost pressures. I note that the Minister said that the Government will allocate \$800 million, but what is \$800 million when we need \$16 billion annually to have transmission lines in New South Wales? [*Time expired.*]

FEDERAL BUDGET

The Hon. CAMERON MURPHY (12:24): I was moved to speak in this debate to take note of the many good answers given by Government Ministers about the budget. People need to understand that the groundwork for the situation that this Government found itself in was laid over the 12 years of the previous Liberal-Nationals Government. Cuts to projects and funding and the GST arrangement are entirely the fault of the Opposition, whose failures led to a process that set up the situation we are in at the moment.

Labor has been in government for only 12 months, and what has happened? We have clawed back a large chunk of the road funding. We have mounted the case and the argument about the inherent unfairness of the GST distribution—a situation put in place by Prime Minister Morrison giving Western Australia a flawed threshold below which GST cannot fall while also getting all the benefits of its royalty boom. Yet when New South Wales has a royalty boom over coal, we have to share that with all the other States. It is that inequity that Government Ministers have been fighting and pushing back on, and they have been doing a good job. They have been successful over the past year in ensuring that we claw back that lost funding.

It is not perfect, as Minister Graham outlined; there is a long way to go. But this Government is having success in ensuring that New South Wales gets its fair share. It is interesting to note that members opposite are blind to the role that they played over 12 years in creating this circumstance. They sat around and did not successfully argue and put forward the case on behalf of the State. One would think that there would be some cheer from the Opposition benches today, saying, "Well done! You have restored some of these cuts. You got some of the money back. Keep going. You are doing a good job." But no—nothing from the Opposition other than criticism for a situation that arose largely out of its failures. I am glad that the Opposition Whip did not quote the younger Bush who famously said, "Mission accomplished," in Iraq, years before that war was finished. [*Time expired.*]

FEDERAL BUDGET

The Hon. WES FANG (12:27): I was compelled by the Hon. Cameron Murphy's contribution to speak in the take-note debate. I have never heard such a ludicrous argument as the argument that the Minns Labor Government seeking to claw back some of the money that the Federal Government ripped away from New South Wales is a sign of success. It lost that money in the first place. Someone made the analogy today that it is like the Premier playing a game of marbles. He has his bag of 10 marbles, and here comes Albo, who takes the bag of marbles from him. The Premier then says, "Please, can I have some of my marbles back?" and Albo says, "Okay, here are two marbles for you." We are supposed to be thankful that Albo kept eight marbles but has given us two.

That is the mentality of this Labor Government. It loses money from its own side. Its own side takes its marbles, and what do we have? We are supposed to be thankful for that. Unfortunately, we are not talking about marbles. We are talking about billions of dollars of State infrastructure that has been lost to the Government's own side. Someone who is supposed to be on its side has taken away the money. It is great that the Government has clawed back a little bit and managed to win back two of its marbles, but the Opposition wants the rest of what was on the table, which it secured when in government.

This Government has gone backwards on what the former Government delivered for this State. For that, it should stand condemned. But no. Instead, the cheer squad for Albo and his mates in the Government are trying to big up a budget that is not worth celebrating. As the Hon. Chris Rath identified, nobody is saying this is a good budget that will bring down the cost of living in any meaningful way. Instead, it will probably increase inflationary pressure, which will mean higher interest rates for longer. Those who celebrate this budget should be condemned and marked by their words.

ROAD TOLLS

The Hon. BOB NANVA (12:30): I take note of the answer given by the Minister for Roads to the question about the Minns Government's toll cap. I particularly welcome the part of his answer where he said that the greatest beneficiaries of this very important cost-of-living measure are residents from Western Sydney, who are disproportionately impacted by the former Government's addiction to road tolls which now means that 13 of the nation's 21 toll roads are in Sydney. These toll roads encircle the city, cutting people off from the outer suburbs, and, in effect, impose a road tax on Western Sydney residents, like me, who want to access their own city and CBD.

As a long-term resident of Western Sydney, I am all too familiar with the cost burden that tolls impose on outer suburban families, which has been debilitating for far too many household budgets. I am also acutely aware of how road tolls have very deliberately become the only feasible means of reliably commuting into and around our city. I say "deliberately" because, by design, they have cannibalised formerly free roadways and motorways like the M4 in their construction, and because recent new road networks such as WestConnex were designed by

the former Government to maximise the number of tolled trips rather than to move people around our city as efficiently as possible. During the Minister's answer I was reminded of evidence given during the Rozelle interchange inquiry from someone who was intimately involved in the conception and design of WestConnex, former Roads and Traffic Authority CEO Paul Forward. He said:

It's my view that the final design was an attempt to maximise the value of the motorway when it was put out for sale, because it had a larger number of toll trips on it than some of the previous options.

That is a shameful piece of evidence with respect to the way the WestConnex motorway was designed and ultimately developed. We may not be able to immediately unpick the many causes of toll mania, as the Minister puts it, but we can provide relief from the symptoms. As the Minister's answer noted, after rent and mortgages, tolls are one of the highest household expenses for the 750,000-odd people living in Western Sydney, who will benefit from the Government's toll cap by having this cost-of-living burden ever so slightly lifted from their shoulders.

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) (12:33): It was another wonderful question time today, with fantastic answers from the Government, including my own, which I will highlight in this response. There were a number of questions about the Federal budget, which was to be expected. The New South Wales Government welcomes Federal government investment in projects that are required in New South Wales. However, it has also been very clear that where it needs to fight for better funding and responses from the Federal Government, it will continue to do so without hesitation. It is this Government's job to represent the people of New South Wales, and that is exactly what it will do.

The Government needs to keep reminding people—although I think the public are well versed on this—that it is cleaning up after 12 long years of Liberal-Nationals Government. The people of New South Wales voted for change, and that is exactly what they have got. They knew they were mismanaged under the last lot, and this Government is getting on with the job of delivering for the people of New South Wales. Members heard about some of the ways that the Government is doing that, including through the toll caps that have been implemented to assist people, particularly in Western Sydney, with the cost-of-living pressures that they are experiencing. The Government is also getting on with the job of building better social housing for the most vulnerable people across our community and those who really need it.

I have upped the \$15 million support package that was put on the table by the former Liberal-Nationals Government to deal with red imported fire ants, which is a really significant threat that our State is facing, to \$95 million. This continuing piece of work will protect biosecurity across New South Wales. The Government is also getting on with the job of delivering for the important commercial fishing industry in New South Wales by making sure that it is supported in developing its peak body, which was an election commitment that Labor made to that sector, and protecting the State's wildlife, which is an important priority not just for the wildlife of New South Wales but also for our people. This Government will continue to get on with the job of delivering for the people of New South Wales, which is what it was elected to do.

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

Motion agreed to.

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

Private Members' Statements

OBSTETRIC FISTULA

The Hon. DAMIEN TUDEHOPE (14:00): On Thursday 9 May I participated in the Sydney Prayer Breakfast and had the opportunity to hear Dr Andrew Browning, AM, speak about his work in addressing the widespread issue of obstetric fistula experienced by women in Africa. About two million African women are suffering from obstetric fistula. This can occur when prolonged, obstructed labour without timely medical intervention leads to tissue death resulting in a fistula between the birth canal and the rectum or bladder. The consequences of obstetric fistula are devastating, often leading to women being abandoned by their husbands, ostracised by their communities and denied opportunities for education and economic independence.

Dr Browning has been personally involved in providing fistula surgery in Africa since 1996. He has also established a charity to support volunteer midwives and obstetricians to provide emergency maternity services in district hospitals in Ethiopia and to teach the local staff the needed measures to prevent obstetric fistula.

Dr Browning has led a team that has transformed several run-down health centres into safe and functional maternal health centres for poor women and those living in remote regions. He has also run fistula camps to train surgeons in Malawi, Sierra Leone, Kenya, Chad, Uganda, Congo, South Sudan, Somaliland, Nepal and Togo. Andrew has commented:

Treating obstetric fistula is one of the few operations that you can do that transforms completely someone else's life. It brings women back from being ostracised to having a normal life.

Andrew was inspired to become a medical missionary when, at the age of six, he first heard about Africa's medical missionaries and their work trying to prevent women from dying in labour. As an inspiration to us all, he lives out the prophetic injunction, "And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God."

One of the most moving stories that Andrew related was of a husband who stayed with his wife for 15 years when her legs became paralysed after having her child. He used to lie with her every night in circumstances that most of us could not conceive of. He carried his wife on his back to a hospital to have surgery to restore her life with her family. Dr Andrew Browning is a great man.

CRIMINAL JUSTICE SYSTEM AND ASSAULT RATES

The Hon. ROD ROBERTS (14:03): More people in Australia are being assaulted than ever before. Nearly 85,000 criminals appeared in court for bashing innocent Australians in the most recent year. This is not the vision of progress we were promised. Even with a rapidly growing population, it does not track that for all the cultural reform, policy change, media reporting, virtue signalling, adjournment speeches and police crackdowns, more Aussies are getting bashed, stomped on, and king hit than ever before. Something is not just presently wrong—it is trending wrong. Somewhere along the way, in the past 30-odd years, we took a wrong turn, and we seem to keep heading in that direction. As John Steinbeck said, "Why does progress look so much like decay?" Progress looks like decay because progress is not working. It is the flavour of the month in our courts, headlines, panels, schools and policies, and the unfortunate irony is that this false idea of progress is what has got us into this worse position. It is progress that is seeing assaults go up.

For example, thanks to progressive policies, criminals today can get lenient sentencing for any number of reasons while victims receive no greater support. As Mirko Bagaric wrote in his excellent article in *The Australian*, offenders who have had socially and economically deprived upbringings get a sentence reduction known as the Bugmy discount. Offenders get the Verdins discount if they have experienced a mental health issue, which about two in five Australians have. They get further discounts if they pretend to be remorseful. The list goes on and on. And what do the victims get? A black eye, a broken tooth, nightmares and trauma. This is an inversion of the rule of law that everybody is equal before the law. Yes, it is tragic that people have had hard upbringings. But by deeming offenders as equal victims and tailoring their punishment accordingly, we distort the natural process of the justice system.

Our society is not so smart that we can start changing rules in the name of progress. The crime must fit the punishment if we are to keep law and order. Mr Bagaric wrote:

If the government wants to take steps to reduce violence it needs to start by imposing proportionate penalties on defendants who injure Australians.

This so-called progress extends to bail laws, which see offenders back on the street sooner than they should be because emphasis is placed on the rehabilitation of offenders over the safety of the community and victims. It is, again, an inversion of the rule of law that offenders are gifted lenient bail conditions while victims are forced to live in fear. If progress looks like decay, as Steinbeck said, then in this case decay is a policy choice. Laws are there to protect the community, not the rights of criminals. Governments must reaffirm this principle.

BOWNING AND DISTRICT PROGRESS ASSOCIATION

The Hon. BOB NANVA (14:06): During one of my recent visits to the Yass Valley region, I went to the township of Bowning and met with some of the passionate locals who curate its history there. Anyone who has been to the Yass Valley knows all too well how beautiful its surrounds are. Encircled by rolling hills, green valleys and iconic Australian bush, the township of Bowning is one of the earliest settlements in the shire and one of its most charming. Bowning is the kind of place that rouses the imagination and reminds us of the reason why early explorers went into our great interior. I cannot think of a better place for Henry Lawson and Banjo Paterson to have engaged in their famous Bulletin Debate about the very nature of the Australian bush than at the Bowning Hotel, which is still open since its inception over 150 years ago. The town has captured the minds of romantics for well over a century, and we should all be thankful it faithfully maintains its links to its past.

The township of Bowning is not a relic or a mere reminder of our nation's frontier past. It is still a thriving community that is undergoing a period of renewal and is, in fact, growing. During this new period, it is left to

committed locals to act as custodians of a proud history while shepherding the new path forward. Enter the Bowning and District Progress Association. This committed group takes immense pride in Bowning and has a vision for how the village can be supported with small, targeted investments. The association is made up of key village stakeholders and advocates who work with local and State governments to fund and deliver measures that contribute to their pride of place. Initiatives like safety improvements, beautification works and infrastructure to improve local amenities are underpinned by consultation and sensible outcomes. During my visit to Bowning, I had the privilege of announcing that the State Government would assist the town with its beautification scheme through a local grant. I was pleased to see broad-based support for the improvements from the community, the Yass Valley Council and particularly Mayor Allan McGrath.

The residents of Bowning deserve a great deal of credit for their sustained advocacy and passion for their community, its legacy and its future. We are all the beneficiaries of their work to sustain this beautiful village. I particularly note the passion of the Bowning and District Progress Association, and of its president and vice-president, Frances Atkins and Andrew Henderson. Bowning is already a beautiful place. It is a living link to the early days of the Australian bush and was an inspiration for our most beloved bush poets. I look forward to seeing the benefits that the new amenities bring to the community, and I wish them well in the years ahead.

ONLINE IDENTITY VERIFICATION

The Hon. JACQUI MUNRO (14:09): What do reducing domestic violence associated with pornography use and data breaches by local clubs across New South Wales have in common? Their commonality is, in part, their solutions, which involve solving the digital identity problem. It is being able to overcome the downsides of existing digitally, which is an unregulated free-for-all for kids and currently necessitates being on countless unknown databases that contain highly personal information that we would prefer not to share if we did not have to. An anonymised, digital personal identity token, secured through blockchain or distributed network technology, could help shift tragic social attitudes towards women and keep our personal information safe from third parties. It is like an NFT, or a non-fungible token, for identity verification. It would allow us to be both accountable and private.

Only recently has technology advanced to the extent that we have useful options to answer those problems. Unfortunately, the New South Wales Labor Government decided to scrap the role of the chief data scientist, which means we are at serious risk of losing capability and progress when it comes to enabling digital identification and streamlining everyday administrative processes that require identification. The link between domestic violence and pornography, particularly when it is consumed by boys under the age of 18, is clear. Just as we have agreed as a society that ratings for movies and games appropriately restrict young people from accessing certain material, we need to find ways of limiting access to inappropriate online content like pornography to staunch increasingly extreme, negative attitudes towards women. It is a difficult task. How do we regulate internet-based content? How do we enforce the law when young people are breaking it in their own homes?

In the case of the recent ClubsNSW data leaks, is it not reasonable to enjoy a schnitty at one's local club without having to share one's licence number, photograph, signature and home address with a community club that is potentially using an offshore company to hold one's incredibly sensitive and valuable data? Blockchain technology allows secure digital storage of sensitive information, like a person's date of birth, and generates a token that represents the existence of the information. The technology may allow us to hold secure, individual, anonymous identity tokens that are initially verified with the information that governments already have about us. Such tokens can then be shared with organisations to prove identity, without taking the risk of sharing sensitive personal information.

For example, NFT-gated websites already exist. Website owners use login technology to authenticate users with their token. We should explore the use of that technology to regulate access to pornography websites for underage children. That method of verification means that no-one is sharing personal information about their age and identity because the token represents that information. In the case of data breaches at clubs, one enters one's token, which verifies one's identity. And the best bit? Startups like Smart Token Labs, founded in Sydney in 2017, might already have the answers.

GENDER DYSPHORIA

The Hon. JOHN RUDDICK (14:12): This Parliament recently passed the Conversion Practices Ban Bill 2024. That legislation impedes holistic, evidence-based counselling and care for individuals struggling with gender dysphoria. It inappropriately conflates gender identity with sexual orientation under the definition of conversion practices, and it includes the chilling effect of legal threats. It will deter health professionals from offering counselling that does not encourage what is often a teenage whim about being born in the wrong body. The Parliament has made a terrible error. It needs correction. The international trend is moving precisely in the opposite direction. Overwhelmingly, those presenting with gender dysphoria are vulnerable youths who have

experienced trauma. Evidence shows a significant majority will grow into adults attracted to people of the same sex if they are not interfered with via surgeries and chemicals.

My party was the first party to support same-sex marriage because we believe consenting adults who cause no harm to others should be free to act as they please. But we can also identify dangerous social contagions. Today, I announce a repeal campaign—or, more accurately, a campaign to delete two words from the conversion practices ban law. Those words are "gender identity". That will remove any legal hindrance to those seeking or offering holistic, evidence-based care for vulnerable people struggling with gender dysphoria. Tomorrow I will move a notice of motion to amend that legislation. I am also launching a parliamentary petition with Rachael Wong of the Women's Forum Australia. I invite New South Wales residents to support that campaign and sign the petition. I will also arrange public awareness events.

I am hopeful we can hear from those involved in the preparation of the Cass report. Dr Hilary Cass, former president of the Royal College of Paediatrics and Child Health, was asked by the United Kingdom's National Health Service to chair a four-year systemic review into services for young people distressed by their gender identity. The 388-page Cass Review is the world's gold standard on the subject. It was, ironically, released one day after the conversion practices ban law was rushed through this place. The Cass Review urges government decision-makers to veer away from rushing children into surgeries and chemicals, and to encourage them to consider other factors that may have caused their distress—other factors that can be resolved via counselling that, once the bill comes into effect, will often be unlawful.

I want the public to hear from the growing number of detransitioners—those who regret their attempts at transitioning and who very much want to warn others. The conversion practices ban law does not come into effect for a year, so I do not expect this Chamber to debate my amendment for several months. But the purpose of the campaign is to alert the public and to help convince the otherwise reasonably centrist Labor Government to support the children of New South Wales by amending the legislation. Yes, it was a campaign promise of Labor. But the science is in and it has taken the debate in the opposite direction.

TWEED VALLEY HOSPITAL

The Hon. EMILY SUVAAL (14:15): While we were debating points of order and other matters in the House yesterday, in the far north coast of our State an enormous logistical activity was taking place. At 8.00 a.m. yesterday the emergency department at the Tweed Hospital stopped admitting patients. At the same time the emergency department at the new Tweed Valley Hospital in Cudgen officially opened its doors. What occurred next was a carefully planned and meticulously executed activity by the staff of the Northern NSW Local Health District. In the week prior the hospital had been ramped down.

All non-essential activities were cancelled and patients who could be discharged were discharged. It is similar to what is done over the Christmas period, where there is a ramp-down of non-essential elective surgery. As a result 121 patients were successfully transferred yesterday. A convoy of specialist ambulances, paramedics, healthcare workers, police escorts, patient transport vehicles and many others drove down Minjungbal Drive and the Pacific Motorway to the new hospital in Cudgen. All patients were successfully transferred ahead of schedule. By 4.00 p.m. yesterday they were all at the new site.

The new Tweed Valley Hospital is now open and admitting patients, and the old Tweed Hospital is closed. Some outpatient services, of course, remain at the old site, including things like breast screens and some outpatient clinics. I use this opportunity to thank all the staff who made that much anticipated and planned for move a real success—from the careful planning of the ramp-down in the week prior to the orientation of all the staff, and the champions in each ward who assisted in the transfer process and made sure that people were aware of their new working environments.

I also thank all the additional paramedics, patient transport staff, cleaners and hospital and security assistants, and all those who assisted directly and indirectly with the move. It is great to hear that it was a success. Obviously, the hospital will now begin the ramp-up of activity. I make particular mention of the chief executive officer, Tracey Maisey, who started in the job in August last year. She has done an amazing job in overseeing the move. I look forward to continuing to visit and to be updated of progress at the new site. Well done.

FEDERAL BUDGET

The Hon. SAM FARRAWAY (14:18): Last night's Federal budget confirmed that Australian families, small businesses and regional people are not a priority for the Albanese Government. Prime Minister Albanese promised that it would be a "true Labor budget" and he did not disappoint. This big-spending, big-taxing con job failed to tackle inflation or meaningfully address the housing crisis. Under Labor's budgets to date, the typical Australian household with a mortgage is more than \$35,000 worse off. Instead of restoring budget discipline, Labor has added \$315 billion of new spending at a time when migration is out of control with nearly 1.7 million

new migrants coming to Australia over five years and when housing approvals are at an 11-year low. Under Labor, Australians are feeling the pinch and feeling poorer.

Despite all the spin coming from the Treasurer's office in Canberra, everyday Australians know that prices are rising and the cost-of-living crisis is hitting home. The figures speak louder than words. Under Federal Labor we are paying more: housing is up 12 per cent, rents are up 12 per cent, insurance is up 26 per cent, electricity is up 18 per cent and gas is up 25 per cent. While the budget forecasts unemployment to rise, the Albanese Government is adding 36,000 additional Canberra bureaucrats. When in government The Nationals understood the importance of small businesses to our communities and the economy. We appreciate that small business is the engine room of the Australian economy, but in this budget big business has been prioritised over hardworking small businesses.

Over \$13 billion in handouts for big business while neglecting to reinstate the full instant asset write-off for small business is yet another example of Labor favouring the big end of town. Prime Minister Albanese and his Treasurer have failed to address the real concerns and needs of businesses. Skyrocketing energy prices, high inflation and out-of-control red and green tape will continue to cripple small businesses across the regions. The Australian people deserve better than this Federal Labor Government. In these challenging economic times, it is absolutely crucial that we get a back-to-basics economic agenda, which only the Coalition can deliver. The Federal budget lacks vision for regional Australia.

In my home region of the Central West, we no longer have a long-term plan or vision from the Federal member or the Federal Labor Government. In the past 12 months cuts have been made to key infrastructure like the Great Western Highway, which would have enhanced lives and opened up opportunities for everyone in the region. Instead we get a river crossing. That may be a worthy project but it only benefits a few. It is clear that our teal-like Federal MP can no longer deliver the real investment that the Central West deserves and needs.

FORESTRY AND BIODIVERSITY

The Hon. MARK BANASIAK (14:22): Forestry Corporation of NSW does a better job of managing its estate than the NSW National Parks and Wildlife Service does. I challenge members to prove me wrong. The Government published a glossy white report entitled *NSW biodiversity outlook report 2024*, which appears to indirectly paint a concerning picture of deteriorating biodiversity in New South Wales. The report fails to declare to the discerning reader that 88 per cent of the land controlled by the Government is maintained and controlled by the NSW National Parks and Wildlife Service. If there is a fall in biodiversity, any investigation must start with the largest public landholder in this State. Figures for the work done by the NSW National Parks and Wildlife Service have been available since 2013, yet a freedom of information request earlier this year regarding what works and costs the national parks apply to the State park system delivered no results.

The latest figures from 2013 show that the NSW National Parks and Wildlife Service spent \$7.11 per hectare, totalling \$50 million, on fire management, while the Forestry Corporation of NSW spent \$2.18 per hectare. For pest and weed management, the NSW National Parks and Wildlife Service spent \$4.79 per hectare, totalling about \$34.5 million, while the Forestry Corporation spent 32¢ per hectare. It has been widely suspected that the Forestry Corporation does a better job at managing its estate than the National Parks Wildlife Service, and this report all but confirms it through omission, even if that was not its intent. There is no mention of the biodiversity impact in the biodiversity report, nor the measures taken by the biodiversity unit or the environment department.

The Commonwealth biosecurity risk website shows that imported timber presents a real danger to Australian native habitat. Myrtle rust in New South Wales has caused one flora species to become endangered. Again, there is no mention of that in the biodiversity report, yet it goes on endlessly about the loss of native habitat. In the 2019-20 wildfires, all the wildfires started in and came out of New South Wales national parks. The ferocity and intensity of those wildfires turned native forests into moonscapes and adversely altered the soil profiles, which impacted future regrowth. The biodiversity report does not mention wildfires or their impact on native habitats. However, it does show that the 2019-20 bushfires reduced the area of habitat for many species, increasing their risk of extinction. The report stated:

Burnt habitat may take decades to recover.

...

Fire thresholds identify the acceptable fire intervals for each of the 12 broad vegetation formations in New South Wales.

Is the report stating that wildfire is good for native habitat? We do not know. What really seems to be happening is that, as more land is locked up, the extinction crisis is getting worse. If we genuinely want to improve biodiversity, we need to be honest and not hide inconvenient truths, and that starts with government honesty and transparency in its reports.

CRIMINAL JUSTICE SYSTEM

The Hon. CAMERON MURPHY (14:25): On 20 March I attended the launch of the Justice Reform Initiative report entitled *Alternatives to Incarceration*. The report was launched by the Hon. Robert Tickner, AO, who was Minister for Aboriginal Affairs in the Hawke-Keating Labor Government and has been a dogged campaigner for social justice in the years since. At the launch I also had the privilege of hearing from speakers with lived experience of incarceration. They spoke about the relentless cycle of poverty, homelessness and dispossession, often complicated by family violence or substance use issues that lead to reoffending and repeated incarceration.

New South Wales currently imprisons more adults than any other State in Australia and at great cost. In 2022-23 New South Wales spent \$2.2 billion on incarcerating adults and children, with the rate of incarceration rapidly increasing in the past decade. With more than half the prison population made up of people on their second, third or fourth stint of incarceration—or even more—it is obvious that the current approach is not only costly but also failing at rehabilitation and therefore failing at lowering recidivism and preventing further crime. The *Alternatives to Incarceration* report, on the other hand, argues for addressing the underlying factors that contribute to interactions with the justice system and providing pathways for genuine rehabilitation for suitable offenders as a way to reduce crime. The report suggests that intervention programs can substantially reduce reoffending amongst vulnerable populations.

The Creating Futures Justice Program, a First Nations-led, post-release rehabilitation program, is a promising example of that. Participants have a reoffending rate of just 4 per cent, compared with the New South Wales average of close to 60 per cent for reoffending amongst Aboriginal people. The challenges of our State's justice system do not need to be inevitable. There is compelling evidence that if even a small portion of the billions spent on incarcerating people—a disproportionate number of whom are Aboriginal, intellectually disabled or come from low socioeconomic backgrounds—was redirected towards alternative programs, we could reduce crime, incarceration rates and the entrenched disadvantage that comes with serving time in prison.

The Justice Reform Initiative's report, for example, recommends that the Government create a "breaking the cycle" fund and commit \$300 million over four years to invest in evidence-based, community-led projects aimed at reducing offender interactions with incarceration. I commend the Justice Reform Initiative for its report and its tireless and important advocacy for social change. I hope we can adopt those evidence-based policies to reduce prison numbers and close the gap.

Bills

COMPANION ANIMALS AMENDMENT (PUPPY FARMS) BILL 2024

Second Reading Speech

Debate resumed from an earlier hour.

The Hon. EMMA HURST (14:28): The Companion Animals Amendment (Puppy Farms) Bill 2024 also inserts some transitional provisions to ensure that while we wait for the bill to come into effect, nobody in New South Wales can acquire more than 10 fertile female breeding dogs or cats. Breeders who currently have more than that will not be able to acquire any more. Puppy farming is the intensive factory farming of dogs for a pet trade industry. Oscar spent the first five years of his life in a puppy farm, but his life truly began when he was rescued by Debra Tranter, the founder of Oscar's Law. He inspired the campaign to end puppy farming in Victoria. I dedicate this bill to his memory. Oscar, we will ban puppy farming in New South Wales. We will never give up and we will never stop fighting until these laws pass. This cruelty will come to an end. I commend the bill to the House.

Debate adjourned.

Committees

SELECT COMMITTEE ON THE PROPOSAL TO DEVELOP ROSEHILL RACECOURSE

Establishment and Membership

The Hon. DAMIEN TUDEHOPE (14:30): On behalf of the Hon. Scott Farlow: I seek leave to amend private members' business item No. 921 as follows:

(1) Inserting after paragraph (1) (f):

- (g) the impact on animal welfare and any integrity concerns associated with the proposal which relate to animal welfare; and

- (2) Omitting in paragraph (2) (c) "with one being the Hon. Emma Hurst." and inserting instead "being the Hon. Emma Hurst, Ms Cate Faehrmann and the Hon. Taylor Martin."

Leave granted.

The Hon. DAMIEN TUDEHOPE: Accordingly, I move:

- (1) That a select committee be established to inquire into and report on the proposal to develop Rosehill racecourse, and in particular:
 - (a) the unsolicited proposal process including associated probity measures;
 - (b) the involvement of the Government prior to the unsolicited proposal being made;
 - (c) the role of the proposal in meeting housing targets;
 - (d) impacts on the cost and delivery of the Sydney Metro;
 - (e) potential impacts on parkland in Western Sydney;
 - (f) impacts on the racing industry in New South Wales;
 - (g) the impact on animal welfare and any integrity concerns associated with the proposal which relate to animal welfare; and
 - (h) any other related matters.
- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of nine members comprising:
 - (a) three Government members;
 - (b) three Opposition members, with one being the Hon. Scott Farlow; and
 - (c) three crossbench members, being the Hon. Emma Hurst, Ms Cate Faehrmann and the Hon. Taylor Martin.
- (3) That the chair of the committee be the Hon. Scott Farlow and the deputy chair be the Hon. Emma Hurst.
- (4) That, unless the committee decides otherwise:
 - (a) all inquiries are to be advertised via social media, stakeholder emails and a media release distributed to all media outlets in New South Wales;
 - (b) submissions to inquiries are to be published, subject to the committee clerk checking for confidentiality and adverse mention, and where those issues arise, bringing them to the attention of the committee for consideration;
 - (c) attachments to submissions are to remain confidential;
 - (d) the chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the chair to convene a meeting to resolve any disagreement;
 - (e) the sequence of questions to be asked at hearings alternate between Opposition, crossbench and Government members, in that order, with equal time allocated to each;
 - (f) transcripts of evidence taken at public hearings are to be published;
 - (g) supplementary questions are to be lodged with the committee clerk within two business days following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness;
 - (h) answers to questions on notice and supplementary questions are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration; and
 - (i) media statements on behalf of the committee are to be made only by the chair.
- (5) That the committee report by 30 November 2024.

Since day one, the Minns Labor Government has been a cheerleader for the unsolicited proposal of the Australian Turf Club [ATC] to convert Rosehill Gardens Racecourse into housing. There are serious questions as to whose idea it was to redevelop Rosehill and the impartiality of the Government in the unsolicited proposal process. According to the unsolicited proposal process, it is imperative that the Government remains impartial. Instead, the Premier called the proposal a "once in a generation opportunity" and has been its biggest proponent ever since.

Courtesy of the order for papers under Standing Order 52 passed in March about racecourse housing development proposals, we have learnt eye-opening details of the Minns Labor Government's lack of impartiality toward the unsolicited proposal to redevelop Rosehill racecourse. The Government has already committed itself to building a metro station in Rosehill, with no certainty as to whether there will be any housing at the site. A multi-billion-dollar proposition should not be drawn up on the back of a napkin; it should go through the appropriate processes for such a major project. The time frame in which the Rosehill proposal passed through government left no such time.

It is worth going back through the timeline as revealed by the papers obtained under Standing Order 52. On 5 April 2023 the Camellia master plan was canvassed in a meeting between the ATC; its architects, Architectus; SGS Economics and Planning; and the NSW Department of Planning and Environment. On 8 September 2023 the ATC outlined an updated master plan with five development options for up to 3,017 dwellings along James Ruse Drive, surrounding the Rosehill racecourse. In a change from April, the office of the Minister for Planning and Public Spaces was now involved in the meeting. It was described by planning officials as a "positive conversation". We know that in October last year, the ATC considered Randwick and Rosehill as "their premier racing venues" and there was "definitely no plan to relocate". The ATC was adamant that "racing would continue" at Rosehill, while continuing to present the option for 3,000 homes surrounding the track.

The ATC presentation was that, if a racecourse was going to be fully redeveloped for housing, Canterbury would be on the table. Yet, after a meeting with the Premier a week later, a plan to redevelop Rosehill was presented in less than nine days. The position of the ATC rapidly changed after meeting the Premier on 30 October. Amazingly, the Government had even created an options analysis for Project Wattle two days before the proposal had been presented that considered a direct deal, compulsory acquisition or an unsolicited proposal. Bureaucrats said an unsolicited proposal presented a "probity risk—perception that New South Wales Government is engineering an unsolicited proposal for a government-driven transaction".

On 8 November the ATC presented a proposal for the complete redevelopment of Rosehill racecourse to the Department of Enterprise, Investment and Trade, with agreement that the New South Wales Government would explore a metro stop at Rosehill. Yet, on 13 November, Department of Planning and Environment meetings on the original 3,000-dwelling proposal continued. Whilst the Premier's public announcement of the unsolicited proposal process occurred on 7 December, we now know that the Premier's office was drafting its media release from 23 November that outlined the relocation of racing from Rosehill to Warwick Farm and the redevelopment of Warwick Farm racecourse.

Then came the Premier's public announcement, attaching himself and the Labor Government to the Rosehill racecourse redevelopment at the hip. This was without the planning and transport Ministers reading the memorandum of understanding agreed between the New South Wales Government and the ATC. The Minister for Gaming and Racing confirmed in budget estimates in February that, other than the Premier informing him on 22 November that the proposal had been put forward by the ATC, he had no further involvement. Irrespective of the merits of a proposal, the Government needs to be truly impartial when it comes to unsolicited proposals in order to get the best value for the people of New South Wales rather than be compromised when assessing a deal it has already been cheering on every step of the way.

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) (14:36): The Government opposes the motion. I did not hear the first 30 seconds of the contribution by the Hon. Damien Tudehope when he moved the motion, but in the substantial portion I did hear I am not sure he mentioned the word "committee" once. That is what the motion is about. By and large, he reflected the fact that there is a substantial amount of information in the public domain about this issue.

The Government has been completely transparent. We have complied with all the orders for papers that the Opposition has put forward, and a lot of that information was reflected in the comments by the mover. However, this motion is about the establishment of a parliamentary committee to inquire into the process. That is what the Government opposes as entirely unnecessary and a deliberate effort on behalf of members opposite—and, it appears, members of the crossbench—to frustrate the Government's efforts to deliver more housing. That is incredibly disappointing.

If there is information that the Opposition wishes to obtain about the proposal, that is completely fine. We have already indicated our cooperation through the calls for papers that have been put forward and the provision of documentation. We welcome transparency. What we do not welcome is an effort to frustrate and delay the opportunity to explore this proposal. Again, it is only a proposal at this time. All that is happening is that an unsolicited proposal has been put forward to explore the potential of housing on the site and it is going through the usual processes of government. The processes established by those opposite when they were in government, and followed by them many times, are now being followed by this Government.

There is not one shred of evidence that any of this is being considered without all the appropriate confidentiality and probity provisions. If there was a suggestion of that happening, of course we would welcome the opportunity to address it through the exchange of information. But the establishment of a parliamentary committee to go through all of this is nothing more than a stunt because members opposite are determined to snuff out any discussion about more housing in this State. They do not want it on the North Shore. They do not want it

in Rosehill. They do not want it in any part of Sydney. They find a way to frustrate and snuff out any effort we make. That is exactly what this committee is. It is unnecessary, a waste of time and the Government opposes it.

The Hon. EMMA HURST (14:39): The Animal Justice Party will be supporting the motion, subject to the agreement to the amendment moved by the Hon. Damien Tudehope. The questions raised around the involvement of Racing NSW in the proposed redevelopment of Rosehill racecourse are one small aspect of the many concerns the Animal Justice Party holds about the conduct of Racing NSW. This is an industry with a shocking track record. The Animal Justice Party has significant concerns about the conduct of Racing NSW, the lack of transparency and government oversight more generally, the way that this links with the proposals regarding Rosehill Racecourse and, of course, the link to animal welfare. We support the motion to make sure that these concerns are able to be ventilated at this inquiry.

The Hon. MARK LATHAM (14:40): This committee is much needed. For anyone who has read the Standing Order 52 documents, it has been a weird, confusing, perplexing, disastrous process that has led us to the point of a proposal for the sale of Rosehill racecourse. The former Government had a Camellia-Rosehill Place Strategy to see if it could liberate the contaminated industrial sites and convert them into residential. The Australian Turf Club [ATC] had an idea to have 3,000 dwellings along the spine of James Ruse Drive. Then the Government initiated the unsolicited proposal by saying, "Hang on, if you go to the full sale and 25,000 dwellings, you can have a metro." This was not the ATC's proposal; it was solicited by the Minns Government.

Then we get to the weird document in early November, returned by the SO 52, where the Cabinet Office suggests an unsolicited proposal knowing full well it has been solicited by the Government. I do not think the ATC, which would know a lot about Phar Lap, Carbine, Winx and Tulloch, knew anything about unsolicited proposals, which are a very obscure thing in New South Wales. There is no great heritage of backing a winner and being successful. The ATC did not know anything about it; it was suggested by the Cabinet Office. It has been a weird process from day one.

To make it worse, Chris Minns seems to have it in the back of his mind that this can be standard business of government. He stripped it off poor old Anoulack and brought it into the Premier's Department for the administration of unsolicited proposals, which in their origins were always a probity watchdog role, going back to that infamous meeting in the Toaster between James Packer and Barry O'Farrell. The idea was that one could not exercise too much influence behind the scenes in government. But what we have now is that one of the officials of the ATC who has a political link to Chris Minns is advancing this against the wishes of the ATC membership. This is the biggest privatisation that Sydney has ever seen.

The Hon. Rose Jackson: Will you declare your interest?

The Hon. MARK LATHAM: I am a member. So what? I am a member and a keen racegoer, unlike the Minister—

The Hon. Rose Jackson: Correct.

The Hon. MARK LATHAM: —who would not know one end of a horse from the other.

The PRESIDENT: Order!

The Hon. MARK LATHAM: The Minister should not lecture me what about needs to be known and declared. I will declare what I need declare. Those declarations are all on the public record. Having agreed to give Chris Minns—this vacuous Premier with no agenda for New South Wales—the appearance of an agenda for Sydney, does that now mean the Minns Government influences its own influence to give this a soft run through? This has spiders all over it. In my time I have gone through a few SO 52s in the Mookhey library but this one has been more stunning than any other. How bad, rushed and ad hoc the process has been. The committee is warranted for those and many other reasons. I hope it is supported by the House. I am the sacrificial lamb, as The Greens would not wear me being on the committee. I do not mind that. The bigger public purpose here is to have a good look at what has been a shonky process behind the scenes.

Ms CATE FAEHRMANN (14:43): The Greens support this motion to establish a select committee. I state at the outset that, on the face of it, turning Rosehill racecourse into new housing, with affordable housing, is a very good idea and one we hope comes to fruition. We hope there is a metro station there, and happy days if that happens. However, we are concerned about the process by which this was announced. We are concerned by the reports. I have not read the documents. I have a lot of privileged documents to get through, Sydney Metro being one of them, and I have not got to this one yet. But it has been reported on and I take what has been reported as extremely concerning. The Government's media release issued on 7 December 2023 talks about the unsolicited proposals process, stating:

The unsolicited proposals process includes:

- strong probity, conflict of interest and confidentiality arrangements, including the appointment of a probity adviser ...

The documents reveal those meetings on 25 October when the Australian Turf Club [ATC] officials were not even talking about this. Five days later the ATC meets Chris Minns, and a few days later this proposal comes out. It is all very concerning.

I note that paragraph (1) of the committee's terms of reference is to look into "the unsolicited proposal process, including associated probity measures". I talked to the Opposition about ensuring that the terms of reference were expanded to enable members to look at the housing targets and the delivery of Sydney Metro. I note the amended motion states that I will be a member of the select committee. I will be participating in the spirit of wanting to ensure that, if it is a good proposal, we do not stymie it. But if there is something to be uncovered in the public interest, that is what this committee should do and why it should be established.

The Hon. DAMIEN TUDEHOPE (14:46): On behalf of the Hon. Scott Farlow: In reply: I thank the Hon. Rose Jackson, the Hon. Emma Hurst, the Hon. Mark Latham and Ms Cate Faehrmann for their contributions to debate. I join Ms Cate Faehrmann in saying to the Minister that this has nothing to do with trying to stymie the delivery of housing. This motion is about the Government's purported integrity credentials. Whilst in opposition those opposite were warriors for more integrity and transparency in the then Government's proposals.

There is a document, which the Minister rightly referred to, relating to unsolicited proposals and what is required. Impartiality is required by the Government—not being a cheerleader for the proposal and allowing it to be assessed on its merits. If it is not an unsolicited proposal it falls within the category of direct dealing. Direct dealing brings with it a whole set of probity requirements that need to be complied with. Apparently the Government was not so keen on complying with those probity requirements and said that this was the best way forward for getting the proposal approved.

Potentially it was for all the right reasons—to deliver the increased housing—but what it does is seek to thwart the direct dealing requirements to make sure it is dealt with in accordance with the unsolicited proposal requirements. That is where the sticking point is. There must be an inquiry into whether this was an attempt by the Government to not have the level of transparency required in respect of these proposals.

As other members in support of this motion and I have said, there is a history of potential meetings and dealings in relation to this proposal before the announcement on 7 December. All of those have the hallmarks of this not being an unsolicited proposal; rather a proposal sought out by the Government which then put a label on it as to how it would be treated going forward. By themselves those are reasons to hold an inquiry into the process. The issues relating to the potential move to the brick pit, resuming parkland and all those sorts of things will get some airing.

The Hon. Mark Latham: Put some housing in the brick pit.

The Hon. Rose Jackson: The frogs. Look after the frogs.

The Hon. DAMIEN TUDEHOPE: I think the Minister is now wanting housing in the brick pit. I urge members to support the motion.

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

The House divided.

Ayes21
Noes 18
Majority.....3

AYES

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

NOES

Banasiak	Graham	Murphy (teller)
Borsak	Houssos	Nanva (teller)

NOES

Buckingham
Buttigieg
D'Adam
Donnelly

Jackson
Kaine
Lawrence
Moriarty

Primrose
Ruddick
Sharpe
Suvaal

PAIRS

Farlow

Mookhey

Motion agreed to.

STANDING COMMITTEE ON LAW AND JUSTICE

Reference

The Hon. TANIA MIHAILUK (14:56): I move:

- (1) That this House notes that:
 - (a) on 13 April 2024, six people were killed and a total of 12 people were hospitalised following a mass stabbing at Bondi Westfield;
 - (b) on 15 April 2024, two members of the clergy were allegedly stabbed by a knife wielding teenager at the Assyrian Christ the Good Shepherd Church in Wakeley;
 - (c) on 29 June 2023, this House passed the Criminal Legislation Amendment (Knife Crimes) Act 2023;
 - (d) the legislation doubled the penalties for some knife offences, raising the maximum penalty for possessing a knife in a public place or school to four years in prison, a \$4400 fine, or both; and
 - (e) on 19 April 2024, *The Sydney Morning Herald* published an article entitled "NSW Police want tougher penalties for parents who let kids carry knives", which reported that "data provided by the Bureau of Crime Statistics and Research reveals only 131 people were convicted for knife possession or wielding offences in the first few months of the new penalties being enacted. The data shows that between October, when the new penalties were introduced, and December last year, most offenders received fines, with only one jail sentence imposed."
- (2) That the Standing Committee on Law and Justice inquire into and report on the effectiveness of the recent legislative changes for knife offences in New South Wales, specifically examining the number of custodial sentences and fines, and that:
 - (a) the inquiry review and report on the use and effectiveness of custodial sentencing applied by New South Wales courts and tribunals with respect to these new knife crime laws;
 - (b) members of the judiciary, the Director of Public Prosecutions, the Bar Association of NSW, the NSW Police Force and other relevant bodies be invited to participate in a hearing or alternatively be invited to provide a submission;
 - (c) the inquiry ensure that the NSW Bureau of Crime Statistics and Research's recording methods for the relevant statistics relating to the above are sufficient; and
 - (d) a final report be tabled in the Legislative Council within three months.

My motion specifically looks at the issue of knife crime, the possession of knives and the laws that passed this House last year. The motion calls for a brief inquiry to look into why so few custodial sentences have been issued by the judiciary and for the Standing Committee on Law and Justice to determine how effective the legislation has been, what the impediments are with respect to why the judiciary appears to be not so keen on handing out custodial sentences, and whether fines are instead being used or whether sentences are being suspended.

We have had a difficult couple of weeks in New South Wales when it comes to knife crime. The tragic and horrific incident at Bondi Junction saw six people killed and 12 injured after a knife attack. Two days later Bishop Mar Mari Emmanuel and Father Isaac Royel were allegedly stabbed by a knife-wielding teenager at the Assyrian Christ the Good Shepherd Church in Wakeley. It has now been reported that the bishop has lost eyesight in one of his eyes. There were reports of two other knife instances over the past weekend. One was at a school in St Marys in Western Sydney, which went into lockdown after a 13-year-old student allegedly produced a knife. The second incident was on Friday 10 May when a 16-year-old boy was allegedly attacked in Dubbo, with further threats of knife attacks at the same incident.

Those are not the only recent tragedies caused by knife crime. On 26 April in Narromine, west of Dubbo, a 16-year-old boy died after being stabbed. A 26-year-old man has been charged with that murder. Two weeks ago a 10-year-old girl was allegedly stabbed to death by her 17-year-old sister. The 17-year-old has since been charged with murder. Three days later, 22-year-old Kye Schaefer, a young surfer, described as having a big heart and a big smile, was found with multiple stab wounds in the car park of a beach in Coffs Harbour. He, too, tragically died of his injuries.

It is clear that New South Wales is facing a potential growing epidemic of knife crime and we need to nip it in the bud. Certainly this was the intention of the House last year when the vast majority of members on all sides passed the Criminal Legislation Amendment (Knife Crimes) Bill 2023. The legislation doubled the penalties for knife crime offences, raising the maximum penalty for possessing a knife in a public place or school to four years imprisonment or a \$4,400 fine or both. Indeed, other penalties were doubled and offences moved from the Summary Offences Act to the Crimes Act. At the first reading of the bill last year, the Attorney General stated:

The Government is acting to address the understandable community concern given the very high-profile tragic events involving knives that we have seen in New South Wales over the past year.

...

People who are in public places or schools should not be exposed to harm of any kind. These dangers caused by the possession or use of knives is unacceptable, and the penalties must reflect the seriousness and gravity of the harm caused.

I agree with the statement made last year by the Attorney General. If there is ever a time when that statement is even more relevant, it is now, given there have been so many more knife crimes since that legislation was passed. On 19 April *The Sydney Morning Herald* published an article entitled "New South Wales police want tougher penalties for parents who let kids carry knives". The article quoted data provided by the Bureau of Crime Statistics and Research, which revealed just 131 people were convicted for knife possession or knife wielding offences in the first few months of the new penalties after the Criminal Legislation Amendment (Knife Crimes) Bill was enacted. The data also showed that between October 2023, when the new penalties were introduced, and December 2023 the majority of offenders received fines and only one jail sentence was imposed. I think it is imperative that the Parliament understands the reasoning behind the lack of custodial sentences. I call on the Parliament and the House to support a brief inquiry to speak to the relevant stakeholders to understand the decisions behind the type of sentencing that has been imposed or not imposed in this case.

The Hon. ANTHONY D'ADAM (15:02): The Government opposes the motion. The New South Wales Government has taken a range of steps to address community concerns about knife crime. Community safety is the primary concern of the New South Wales Government. In November 2023 the New South Wales Government introduced the Crimes Legislation Amendment (Knife Crimes) Bill 2023. The new legislation doubled the penalty for the offences of having custody of a knife in a public place or school and wielding a knife in a public place or school. The New South Wales Government has recently announced a package of commonsense reforms to target the possession of knives, particularly among young people, reduce knife crime and boost community safety. The reforms sent a strong message about the seriousness of knife-related violence and the New South Wales Government's commitment to take immediate, proactive steps to prevent future tragedies, while also addressing longer term challenges such as serious mental health issues and the broader incidence of violent crime.

The Government will develop legislation modelled on Queensland's Jack's law, which will give police powers to wand or scan people for knives without a warrant in designated areas, including transport hubs, shopping centres and other crowded places; make it illegal to sell knives to a child under the age of 18, with provisions for exemptions for retailers selling to young people who need a knife for their work or study; and increase penalties for people selling knives to young people under the age of 18. The package of reforms will help address knife-related crime, get knives off the street and keep the community safer.

The Government opposes the motion because the work that is being called for is already being done. The Government does not support the use of government resources to repetitively review matters in lieu of real action. Where examination of complex policy is needed, it will be done. That is already happening in New South Wales and the Government is now prioritising tangible action. Every quarter the Bureau of Crime Statistics and Research produces crime reports that inform government about trends in knife crime. The NSW Sentencing Council is also conducting a review of sentencing for offences related to firearms, knives and other weapons. That review is being conducted by highly qualified sentencing experts and has considered submissions from stakeholders who deal with these matters on the ground, such as the NSW Police Force, the Aboriginal Legal Service, Domestic Violence NSW and the Local Court of New South Wales.

On 19 September 2023 the Sentencing Council released a consultation paper on adult weapons-related offending. On 26 October 2023 a separate issues paper on young people and weapons-related offending was released. Submissions on the consultation paper and issues paper were due by 4 December 2023. Nineteen submissions were received. Many of them have been published on the Sentencing Council's website. The council conducted four preliminary consultations: a prosecutor's round table on 27 June 2023, a defence round table on 30 June 2023, a children and young people round table on 4 July, and a consultation with young people with lived experience on 1 September 2023.

I seek leave for a one-minute extension.

Leave granted.

The Hon. ANTHONY D'ADAM: The Sentencing Council is currently considering the submissions and is in the process of finalising the review. The NSW Sentencing Council is the appropriate body to undertake this work. Its membership includes professionals who engage with issues of knife crime at an operational level, while also being informed by legal and academic expertise. Inquiries in the New South Wales Parliament that repeat the work of policy experts will not make our streets safer. To the contrary, additional, unnecessary inquiries will muddy the policy clarity that the expertise of the Sentencing Council provides. Now is the time for tangible action to make our communities safer. This is what the New South Wales Government is prioritising.

The Hon. ROD ROBERTS (15:05): I make a brief contribution in support of the motion moved by the Hon. Tania Mihailuk to call for a referral to the Standing Committee on Law and Justice. I listened to the Parliamentary Secretary trying to defend the indefensible. When he finishes his time in the Parliament, I recommend he take up a job as a salesman because he tried to do a very good job. He talked about government action and tangible results. I draw his attention to June 2023 when the Government introduced the Crimes Legislation Amendment (Knife Crime) Bill 2023. I pose one question to him: How well did that go? We have had Bondi, we have had Wakeley, we have had Coffs Harbour, we have had Dubbo. Tangible action? There is no action to be seen.

Let's have a look at Bondi. We can dwell on that because it is only a coronial inquiry and we will not go into the sub judice areas. In June last year the Government increased the penalty to an \$11,000 fine. Had Joel Cauchi been found with a knife prior to the event at Bondi, what capacity would he have had to pay an \$11,000 fine? What capacity would the teenager at Wakeley have had to pay an \$11,000 fine? Increasing the fines has had absolutely no effect. Where is it publicised to the general public that knife crime penalties have been increased? It is nowhere. No-one knows. Nobody sits and reads *Hansard* or government regulations to see that penalties have been increased.

The Hon. Cameron Murphy: I do.

The Hon. ROD ROBERTS: I acknowledge the interjection, which I should not. The general public do not know. They do not care. No 17-year-old kid walks around thinking, "This fine has gone up to \$11,000; I better get rid of this knife." It does not happen. That is reality. I take the honourable member back to this: Tell me what 16- or 17-year-old has the capacity to pay an \$11,000 fine? You are kidding. This is impractical and will not work. I make a contribution because I want to be on the record when this fails. The Government's intention was honourable, and it still is. Something needs to be done, but this bill will have absolutely no effect at all. In a few years, when other legislators are reviewing this legislation and they go back to *Hansard*, they will say, "Roberts was right", because no 16- or 17-year-old kid will pay an \$11,000 fine. Action is needed immediately and that is why the Standing Committee on Law and Justice is the appropriate place to have a quick investigation to provide information and background to help the Government fix this problem because it needs to be fixed.

Ms SUE HIGGINSON (15:08): The Greens do not support the motion. I think it is important to remember that knife crime has declined by almost two-thirds in New South Wales over the past 20 years. The high-profile stabbings that we have seen are absolutely tragic, but they are extraordinary. We are seeing more knife crime because the media is paying attention to it. We are hearing more about it. The events are tragic, but they are extraordinary. This is the criminal law.

Between one-half and two-thirds of people punished with custodial sentences wind up back in prison or in corrective services within two years. Some 48 per cent of the budget of the New South Wales Department of Juvenile Justice is spent keeping juvenile offenders in custody. Juveniles given custodial orders are no less likely to reoffend than those given non-custodial orders. Those are important findings of fact that relate to the law. Data from a national panel study of 5,332 randomly selected young people found that incarceration produced a significantly negative effect on their future employment prospects.

Locking people up is not making people better and it is not making them less criminal. First Nations people make up a record 31 per cent of the adult prison population in New South Wales, yet only 3.2 per cent of adults in New South Wales are Aboriginal. One in 29 Aboriginal men in New South Wales is currently incarcerated. Two-thirds, or 66.4 per cent, of the youth detention population is now made up of Aboriginal young people. When we are talking about and crying out to imprison more people, we need to remember who we are talking about and why we are doing it. The average annual cost per adult inmate in New South Wales is more than \$100,000. The cost per juvenile is just shy of a million bucks per year.

We have to remember that the judiciary right now is the best place to determine how we can prevent people from committing crimes. There are alternatives to custodial sentences that are critical and that do reduce the rate of reoffending. They include community correction orders, intensive correction orders and conditional release orders. While I understand that the motion is well intended, it will not achieve what the member is seeking. If it is about reducing crime, let us help the Government focus on dealing with the causes of crime. That is about

dealing with disadvantage, mental unwellness, the inequities across our society, and the lack of access to the help and support services that people need, which go to the basis of the criminogenic factors that cause people to want to hurt other people.

The Hon. SUSAN CARTER (15:11): Unfortunately, this motion is all too topical. Last week, yet again, we saw the effects of knife crime in our community, with a woman walking from her gym to her parked car stabbed by a man with a knife. The attacker is believed to be her former partner. Sadly, knife crime is also a feature of domestic violence. The motion is topical for all the wrong reasons. But it does raise important questions that we must consider, and I commend the honourable member for bringing the issue to the attention of the House.

The opposition of the Government to the motion is extraordinarily hypocritical. It argues that this review should not proceed because the same work is being done by the Sentencing Council in its review of sentencing for offences related to firearms, knives and other weapons, which was referred by the previous Government. The Government did not regard this review as an impediment to introducing the Criminal Legislation Amendment (Knife Crimes) Act early in its term in 2023. That legislation anticipated the review and, in fact, disregarded its existence. Why now is the Government arguing that the review is an impediment to the current motion?

During debate in this House on the knife crimes bill, a specific question was asked as to why the Labor Government sought to pass that legislation before the sentencing review had been completed. Remember, the only job of the knife crimes bill was to change the sentences, the very same matter being reviewed by the Sentencing Council. No answer to that question was given. The Attorney General, after announcing the bill last year, was asked: What was the need for the changes? He was unable to answer. He simply said:

That is the perennial question about what effect does a penalty in a criminal code have on offending.

That perennial question needs answering, especially in light of the recent escalation of harm caused by knife crime. If the increased penalties of the knife crimes bill have not been effective, if they have not worked to restrain knife crime in our community, what other options do we have? It is a question that must be explored. Is it age restrictions? Would different kinds of penalties be more effective? Would they be more effectively communicated to those who might carry knives? Should knives, like guns, be licensed? We look forward to the results of the Sentencing Council review, but also welcome the suggestion of this additional review.

When the knife crimes bill was introduced, the Attorney General clearly indicated that increasing penalties is not necessarily the most effective way to prevent offending, yet he pursued the changes anyway. If there are problems with the knife crimes bill, if it is not working to diminish knife crime, we should determine this so that we can act promptly to promote community safety.

The Hon. TANIA MIHAILUK (15:15): In reply: I thank members for their contributions to the debate. I note what the Hon. Rod Roberts said and thank him, as a former police officer, for his contribution. In particular, I think the honourable member is quite right in saying that fines are not a deterrent for the types of crimes that we have been witnessing over the past year and specifically in the past few months. It would be interesting to see how many fines are paid and how many are forfeited.

I acknowledge and thank the Hon. Susan Carter for her contribution. She rightly stated that the view of the Sentencing Council did not matter to the Government last year when it introduced the legislation—in fact, it did not seek any counsel whatsoever from the Sentencing Council in bringing the legislation forward. The reason for that is that it came through the Premier's office rather than through the Attorney General. At the time the Premier knew that action was needed. He knew that action was warranted. It is imperative that we understand, as a parliament, how that legislation is now playing out within the judiciary.

The reason that the Government has given for not supporting the motion is that it is waiting for the Sentencing Council review, which started under the former Government. That is nonsense. The Government will bring legislation forward when it sees fit. It will not be waiting for the Sentencing Council. In fact, the Sentencing Council would be welcome to make a contribution or a submission, should an inquiry by the Standing Committee on Law and Justice go ahead.

I also make a point regarding what was said earlier in the debate by the Government member and the idea that the Sentencing Council is comprised of professionals. There are many professionals on the Standing Committee of Law and Justice—and it is quite offensive to suggest otherwise—including former police officers, lawyers, barristers and experienced politicians like the Chair, who has been a member of this House for many years, who would be capable of making a very good contribution and having a thorough inquiry into the exact point I am making, which is that it is imperative to understand that when we make legislation in this place, as we did last year, and which was quite significant, we need to be confident that the judiciary is actually understanding what the Parliament wanted to see come through that legislation.

The spate of crime does concern me. If you want to stop some of this crime, if you want to stop young people from carrying knives, you start giving out custodial sentences. If what *The Sydney Morning Herald* has reported is correct, one custodial sentence out of 131 charges is disappointing. I know that the broader community will be deeply disappointed, as they will be with the Government for voting down the motion.

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

The House divided.

Ayes16
Noes23
Majority.....7

AYES

Carter
Fang (teller)
Farraway
Latham
MacDonald
Maclaren-Jones

Martin
Merton
Mihailuk
Mitchell
Munro

Rath (teller)
Roberts
Taylor
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly

Faehrmann
Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Mookhey

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

PAIRS

Farlow

Lawrence

Motion negatived.

Motions

SCREEN-RELATED ADDICTION AND SOCIAL MEDIA

The Hon. SARAH MITCHELL (15:26): I move:

- (1) That this House notes that:
 - (a) parents and communities are increasingly worried about the harmful effects of screen addiction and social media on children and young people;
 - (b) teaching children to be responsible and safe online requires a holistic approach; and
 - (c) the Government committed \$2.5 million to look at the impact of screen-related addictions in young people.
- (2) That this House calls on the Government to work in a bipartisan way to tackle the negative impacts of social media and screen-related addiction on children and young people.

I move this motion because I think that on private members' day it is important to talk about some of the issues that matter not just to people who are in this Chamber but those who are outside of it. As the former education Minister and the current education spokesperson for the Opposition, but also as a parent, I think we would all agree that there is much community concern about the impacts of social media and screen addiction, and how our young people are impacted by these new technologies, these new platforms that did not exist when most of us were young people. We need to find the right way to support our children and young people, particularly our students, to be aware of the risks and dangers of social media. It should be something that is done holistically and with bipartisan support. That is what this motion seeks to address.

There is no doubt that social media is a powerful intervention. It is the direct line for us to the world, and we do place it in the hands of children. Our kids know things from TikTok that we would only dream to do. I admit that I am not on TikTok, but even though my girls are too young to have those accounts, I am sure that they know

how it all works and could probably do it better than I. Social media has the power to magnify both good and bad reactions, and that is part of the concern. It is now almost 20 years since the iPhone came out. We are still coming to grips with how this technology affects our relationships, work and day-to-day lives as adults, let alone how our children are managing these effects and concerns.

Some interesting studies have been done in different jurisdictions. In the United States, social psychologist Jonathan Haidt has been looking at longitudinal studies that survey the mental health of different generations of young people. We know that something really did change for adolescents in the early 2010s by a variety of measures in a variety of countries. We see this across America, Canada, the United Kingdom, New Zealand and the Nordic countries. The members of gen Z are suffering from anxiety, depression and self-harm and related disorders at levels higher than any other generation for which we have data. This was the generation of kids who were the first to get smartphones during their adolescence. They were in the 10- to 16-year-old age range during the 2010s. We are seeing the start of the flow-on impacts of that. Things can move quickly. We have to make sure that we keep pace with the right programs, the right legislation and the right reforms to protect our kids from any unintended consequences of technological advances.

I mention the phone ban brought in by the Government. Obviously there was a slightly differing policy position on this. When we were in government, we brought in the ban for primary schools. For high schools we said, "You can set the ban as you see fit." I had conversations with principals about, for instance, banning phones between years 7 and 10 but starting to teach year 11 and 12 students about the responsible use of devices, including phones. I thought it was up to principals to manage that as they see fit. While the Government has introduced the phone ban, it concerns me that there is no mechanism for the Government to monitor its effectiveness. There is no longitudinal study or key performance indicators for what that should look like. There is no way to actively and accurately measure whether the ban will have an impact for better or for worse, which I think is concerning.

The biggest issue is that cyberbullying does not happen just in the classroom or during school hours. While it may be well and good to say, "No phones between nine and three," principals and teachers will say that issues still occur outside of school hours and that we have to get to the root cause of making sure young people know how to have healthy relationships with devices and how not to give in to screen addictions. Frankly, as adults, we probably need to do that too. Sometimes I am guilty of being on my phone too much. My six-year-old says, "Mummy, why do you get so much screen time?" and I say, "Sometimes I wish I did not." The learned behaviours that children see from adults is a broader issue beyond one policy reform of a phone ban.

The other issue is related to the \$2½ million commitment from the Government around screen-related addictions. In and of itself, it is a policy that had merit. My concern is that we have not heard anything about that in more than a year of government. We were told during budget estimates that the Government expected successful applicants to be notified by March or April this year for projects to start this month. That has not happened. Nothing has been announced. I encourage the Government to get a wriggle on with that work. Get people out in Australia, particularly in New South Wales, doing that evidence-based and place-based research.

The Government also needs to do more around anti-bullying. We did some great work on anti-bullying roundtables, particularly with Emma Mason from Bathurst, whose daughter, Tilly Rosewarne, unfortunately took her own life after some terrible social media interactions. We brought expert stakeholders together, including those from tech companies, and we worked on reforms in this space. Again, that has not progressed. I urge the Government to look at that work and continue it. It is good policy. It should not be about politics. We should all band together for the sake of our kids and their future.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (15:31): On behalf of the Government, I indicate that we support the motion. This is an important issue, and we should be engaging on it in a bipartisan way. When we were in opposition, led by the excellent work of the now Deputy Premier, and Minister for Education and Early Learning, I worked closely with her in my capacity as a member of the upper House committee on education. This is a significant issue for our children. Effectively, they are guinea pigs. As the Hon. Sarah Mitchell said, this is the first generation to live with iPhones and social media. We, as adults, struggle to grapple with it, and the impact on their little growing minds terrifies me both as a parent and as a public policymaker.

We made a number of commitments before the election. The Hon. Sarah Mitchell spoke about our mobile phone ban, which is in place now. The anecdotal feedback from schools has been overwhelmingly positive. The department is surveying schools on the mobile phone ban and on student engagement and classroom disruption as a result of the ban. We look forward to seeing the results. It is important that when kids are at school, they are focused on learning in the classroom and building those face-to-face relationships on the playground. It makes me sad to walk onto a school ground—or when we used to be able to walk onto school grounds—at recess or lunch

and see kids sitting on their phones instead of interacting and playing. That is why we introduced the ban. It was a significant step at the time, and we look forward to reporting back on the feedback on the ban.

The other part of our announcement concerned the Screen-Related Addiction Research Fund. Research into this area is limited. I am happy to update the House that late last year grants for research up to \$500,000 were advertised for tender grants and up to \$200,000 for partnership grants. Those applications are now being assessed. We are implementing our election commitment. The previous Government appointed the Chief Behaviour Advisor, and our Government asked the Chief Behaviour Advisor to focus on the role of social media and technology on bullying and violence. There is no doubt that this multifaceted issue goes right across government and requires a range of solutions, which we grappled with extensively in opposition and we are now implementing in government. We will continue to work through these significant issues and deliver on what we promised. I commend the Deputy Premier for that important work.

Dr AMANDA COHN (15:35): The Greens support the motion. Children and young people have a right to safe and healthy development and to be heard on all matters that affect them. Evidence-based and measured responses, co-designed with young people, are needed to protect children and young people in our rapidly evolving digital world. It is not lost on me that we are debating young people's needs and I am the youngest member participating in this debate at 34. Social media can be harmful, but it can also provide connection and safety for some young people. The Black Dog Institute has said:

It is widely assumed that technology use leads to mental health problems, although the possibility remains that experiencing mental health problems, such as depression, can lead to young people increasingly turning to screens. If this is the case, a phone ban would be distressing for students who use their devices for emotional regulation.

In seeking alternatives to social media use and excessive screen time, much research points parents and carers to balancing screen time with green time. We need public recreational spaces, including outdoor spaces, where young people are able to spend time offline to enable a healthy balance and alternative to screen time for young people seeking connection. In researching for this motion, I came across an initiative by the Office of the Advocate for Children and Young People, which, during lockdowns, developed a Spotify playlist project in response to requests from young people for activities and ways to engage remotely that did not involve videoconferencing.

Recommendations for national strategies, such as those resulting from the Royal Commission into Institutional Responses to Child Sexual Abuse, insist on the incorporation of online safety education. Across multiple recommendations, the royal commission found that education must be delivered not only through school programs but also with parents and community members to create a supportive environment for navigating online spaces safely. Those initiatives need to be tailored for diverse populations, ensuring that all children—especially those facing marginalisation—can access and benefit from them.

Experts have lamented the lack of Australian peer-reviewed research into this issue. However, following the abrupt implementation of the mobile phone ban in New South Wales, there are insights in the review into the non-educational use of mobile devices in New South Wales schools. The Greens support improving the research and evidence base for this issue. We support investing in community mental health and social programs, as it would be cruel to ask children and young people to manage any addiction, mental health issue or mental illness alone. Young people's voices must be sought and heard if there is any hope of relevance.

The Hon. SUSAN CARTER (15:37): I thank the Hon. Sarah Mitchell for moving this timely motion. Use of social media has exploded over the past decade, and our children are exposed from an increasingly early age. We have all seen babies in prams on phones and on other screens. It is important and prudent that we consider the impact of social media on our children and develop strong policies to help parents, teachers and our young people to use social media well.

Some jurisdictions—including Florida, Utah, Arkansas and Spain—are so concerned about the negative impacts of social media that they have introduced age restrictions effectively prohibiting all children under 14 from having any social media accounts. Entirely anecdotally, that perhaps goes some way towards explaining why when I was travelling in Spain last month I saw children, teenagers and parents happily conversing around dinner tables and strolling around squares without a screen in sight—quite a change from what we often see in many restaurants in this town.

The negative effect of social media on the socialisation of our children is one of the main concerns which has been raised. This feeds into their social connectedness, which is a major protective factor against mental illness. Research in the United States has found that adolescents who spend more than three hours a day on social media face double the risk of experiencing poor mental health outcomes. A major study conducted by the University of Sheffield, using a large representative sample of 10- to 15-year-olds, conducted over a four-year period found that spending just one hour a day chatting on social networks reduces the probability of being completely satisfied with life overall by 14 per cent. That is not a trivial effect. When compared with other factors

it was found to be three times as large as the adverse effect on wellbeing of being in a single-parent household and also had a higher dissatisfaction rating than that experienced by regular truants.

Interestingly—or perhaps sadly—the same study found that girls suffer more adverse effects than boys and in particular feel less happy with their appearance and their school life the more time they spend chatting on social networks. The research also demonstrates that the use of photographic social media is closely linked to a rise in narcissism and social comparisons. This is not just a fleeting effect. It has been clearly established that childhood wellbeing—or lack of it—persists into adult life. Childhood is where the foundations for physical, mental and emotional health are laid. If those foundations are damaged, the repair in adult life is very difficult, which is why this motion is so important.

The Hon. Dr SARAH KAINE (15:40): I thank the mover for bringing this motion to the House. Social media has been garnering attention recently for its role in spreading misinformation, community disharmony and in contributing to domestic violence, which has been talked about a lot in the past two weeks. I draw attention to the impact of social media use, in particular the use of social media filters, on young people's mental health, especially its contribution to body image issues and eating disorders, which is one of the more pervasive impacts of social media on our young people.

Last year I spoke in Parliament about an astounding study from the University of New South Wales—and this goes to the research that the Hon. Susan Carter spoke about—that found that, within only a minute and a half of exposure to filtered appearance-ideal content on social media, regardless of the medium, young women began to compare themselves with the women in the content, judging themselves to be less attractive, negatively impacting their mood and increasing body dissatisfaction. I restate that this happened within a minute and a half of exposure to this kind of filtered content. Considering that the average young Australian consumes two to three hours worth of social media content each day, the true effect that artificial intelligence-altered software is having on the mental health of young people is almost incalculable.

Platforms including Instagram, TikTok, Snapchat and YouTube have a large number of young people engaging with their content, yet they do very little to counteract or call out their pervasive nature so that young people can be aware of exactly what they are looking at. Their algorithms also self-perpetuate the material that is put in front of our young people, especially young women. I concur with the motion and appreciate that a lot more needs to be done to understand the effects of social media filters and the way that we, especially young people, consume that content. We need to think about how to tackle this.

It would be remiss of me not to mention these issues without acknowledging the work of the Hon. Emily Suvaal to bring awareness to the issues of body image and eating disorders. I know she has an event tonight to consider the financial, emotional and psychological costs of eating disorders. Of course, her attempt to bring awareness to these issues is made that much more difficult by the context I have outlined. I urge members to go along to her event to hear more on body image and eating disorders. I again thank the member for bringing this motion to the House. I will do anything I can to assist in understanding these issues better.

The Hon. TANIA MIHAILUK (15:43): I make a brief contribution to add my support to the motion. However, I would like to hear more about precisely what the \$2.5 million will go towards with respect to researching the impact of social media on children and young people. The Hon. Sarah Mitchell said that it was revealed during budget estimates hearings that some tenders had gone out in March and April this year and would be issued in May. I am not sure where the Government is up to in relation to that, but perhaps the Minister can further elucidate. That is a lot of money for research, but I am not sure what the Government can really do in this space because the ship has sailed when it comes to the way in which social media influences young people.

I give credit to the Government for banning the use of mobiles during school. As a parent of three children, I know that that decision was long overdue. It is already having a real impact on young people. The fact that children are ignoring their phones and being forced to not look at them throughout the school day is good because it means that they are focusing instead on what we focused on when we were young and going through school: our studies, our friendships and observing the world around us. It is one of the most critical decisions the Government has made and it will have an influence in the coming years.

As I said, I am not sure what the \$2.5 million will do. Universities might conduct specific research on this issue but, ultimately, it is very difficult to restrict the use of social media for young people and for families. Schools can also only do so much. As soon as kids leave school grounds, they get back on their phones on public transport and at home, where they see their family members and parents on their phones, which we would all admit to doing. It is also difficult to tell children and young people to get off social media and not to watch TikTok or anything on Facebook or Instagram and so forth when most politicians have accounts. This problem will never go away, but the Government should focus on continuing to be very strong on the policy of banning mobile use on school grounds, where it does have control, which will have a profound impact in the years to come.

The Hon. AILEEN MacDONALD (15:46): I support the motion of the Hon. Sarah Mitchell, which deals with the harmful effects of screen addiction and social media on children and young people. I agree with the member that this House should call on the Government to work in a bipartisan way to tackle the negative impacts of social media and screen-related addiction on our youth. I thank her for bringing this problem to the attention of the House. Whilst I am in favour of technology, the negative effects of screen addiction are well documented. Kids who are addicted to screens can suffer from insomnia, back pain, fluctuating weight, vision problems, headaches, anxiety, dishonesty, and feelings of guilt and loneliness. Ultimately, the long-term effects of screen addiction can be as severe as brain damage.

The Australian Institute of Family Studies tells us that screen time spent on TV, e-games, digital tablets and smartphones is a regular part of children's and young people's lives. The institute also notes that parents report that excessive screen time is the top health concern they have for their children and that they are worried that their children spend too much time on electronic devices. There are national guidelines for screen time, but evidence suggests that they are not being adhered to. They recommend no screen time for children younger than two, no more than one hour per day for children aged between two and five, and no more than two hours of sedentary recreational screen time per day for children and young people aged between five and 17—not including schoolwork, of course.

The institute also clearly states that most Australian children spend more time on screens than is recommended. Estimates from primary research suggest that only 17 per cent to 23 per cent of preschoolers and 15 per cent of five- to 12-year-olds meet screen time guidelines. Screen time has been shown to increase between the ages of 10 and 14, especially among boys. The types of screen time that increased were electronic gaming for boys, and television, computer use and social networking for girls. There was no screen time in my youth. I had green time, which Dr Amanda Cohn also mentioned in her contribution.

I was happy to climb trees and play in the yard. I am not saying that we should go back to that, but I am saying that screen time and digital technology use can be part of a healthy lifestyle when balanced with other activities. I understand it is mostly a family issue and it is not the place for government to intervene, but I strongly support any action the Government might take to look at the impact of screen-related addiction in young people. I believe that this place should advocate more green time—again, in harmony with screen time.

The Hon. EMILY SUVAAL (15:49): I contribute to debate on this motion and acknowledge the Hon. Sarah Mitchell for moving it. As the parent of two young children, I have grappled with the issue myself. That has been at the back of my mind as members have been talking in debate today. Screens are, indeed, a way of life for us and our children. They see us using screens all the time. That message is being constantly sent to them. My three-year-old can use the smart TV remote. He can unlock an iPad and use an app. He can use my phone to do the same if I leave it somewhere he can access it. They see us doing it and they mirror our behaviour. It is a way of life for children and it is important for us as decision-makers and legislators in this place to ensure that we are doing all that we can to protect our children without overly interfering in what is the normal advent of technology.

Screens and apps have introduced amazing improvements to our lives as well. As someone with type 1 diabetes, I can monitor my blood sugar level through my Apple Watch. It is an amazing thing. Screens have brought major advances to medical technology. I also give a particular shout-out to the ABC for the apps that it has developed for kids. I subscribed to Reading Eggs during the COVID era because I was a parent trying to work from home with small children and screen time was a way of life. It was a very challenging time. I acknowledge that, yes, screen time can be harmful. Screen addiction and social media in particular are harmful. At the same time, as parents, we have to be mindful of the role that we have and the behaviour that we model to our children.

The increasing importance of mindfulness also needs to be considered in this debate. I know it is being taught more and more in early childhood settings and schools. Indeed, my kids learn about it. Mindfulness is increasingly important, particularly with the flood of information that we constantly get through screens and into our brains from social media and our phones. Obviously, harmful screen time is bad. But as a parent who has also had to grapple with how much is too much or how much is not enough, I want to give a shout-out to all the other parents that are navigating this space with me. There are no easy answers.

The Hon. RACHEL MERTON (15:52): I strongly support the motion of the Hon. Sarah Mitchell concerning the malign impact of social media and screen addiction on young Australians. I am most certainly passionate about this issue. I know my deep concerns are shared by many in the Chamber and many in the community. The explosion of all-pervasive social media over the past decade and a half and its consequential incredibly corrosive impact upon young people, especially girls, should concern all policymakers. It is an issue that policymakers around the world are, quite frankly, struggling with. The cost of the inertia has been enormous.

The period of smartphone growth over the past decade and a half and the easy access to social media on demand have coincided with an explosion in reported depression, anxiety and mental health issues amongst our young. The statistics are quite simply mind-blowing and more than coincidental. According to the Australian Institute of Health and Welfare, the number of females who say they are anxious or depressed rose from 13 per cent to 29 per cent in the eight years between 2013 and 2021 alone. Self-harm rates for girls and young women have also increased since the mass take-up of social media, high-speed internet and smartphones.

I have previously discussed in this place the work of Jonathan Haidt of New York University, who has called for a full re-evaluation of the role that the smartphone and social media play in the lives of our young people. I note my colleague the Hon. Sarah Mitchell also drew on some of his important work. Dr Haidt recently presented to the Alliance for Responsible Citizenship global gathering in London. He outlined four changes to address the teen mental health crisis. He advocates no smartphones before high school, a ban on social media accounts before the age of 16, phone-free schools, and increased amounts of independent play and responsibility in the real world. I wholeheartedly endorse those policy prescriptions.

I recently picked up his book *The Anxious Generation*. I urge all members to read it. In fact, the book is the number one seller on *The New York Times* bestseller list. It highlights how deep those social media addiction issues are. I recognise the bipartisan support for and interest in this issue, and I urge members to continue that. Parents tell me of the challenges they have with their children. Reading books, watching long movies and having long, uninterrupted conversations are all impacted by the smartphone. The screens are the first thing children awake to and the last thing they check at night. As a parent of school-aged children, I have seen the negative consequence of this. When a small number of parents cave into children's demands and smartphones become available, it changes friendships and interactions. It is, quite frankly, a race to the bottom as more and more young people enter a digital world they are not mentally equipped to manage.

The Hon. NATASHA MACLAREN-JONES (15:56): In the limited debate time I have available, I thank the Hon. Sarah Mitchell for moving this motion. I think it was around 2016-17 when I chaired the law and justice committee. We held an inquiry into revenge porn. There was a bipartisan approach that led to some reforms by the Government. It was alarming to read last month that around 1,000 young people under the age of 16 had been victims of revenge porn in the previous 12 months. It is important that we have these conversations. It is important that we are realistic about technology and artificial intelligence, and not only what we can be doing as legislators but also what governments can do to invest in programs. I commend the motion.

The Hon. SARAH MITCHELL (15:56): In reply: I thank all members who contributed to the debate. We could probably have an entire private members' day dedicated to these sorts of conversations. I will make a couple of points in response. I am sure that members of the Government probably saw this motion on the *Notice Paper* and thought, "Where is the sting in the tail? What is going on?" It was actually not intended for that purpose. Because there are times when I do honestly think that we should be talking about these issues during private members' day. I note, however, that the Minister mentioned that the Government has advertised the grants for the fund. That is great. I urge the Government to get on with delivering them and getting them running. As I said, we were told in estimates that those projects would commence by this month. Whatever the delay, I strongly urge the Government to get on with that commitment because I do not think we have a moment to waste.

In terms of the mobile phone ban, anecdotal evidence is great, but it is important in that space to have good qualitative and quantitative data. I would certainly suggest to the Government that it should get a university, the Centre for Education Statistics and Evaluation or someone to actually look at it. Because there can always be improvements to any policy, including that one, that might help. I also pick up on the point that Dr Amanda Cohn made in relation to having young people as part of the conversation. I wholeheartedly agree. When I was Minister, we set up the first Minister's student advisory council, the Department of Student Voices in Education and Schools, known as DOVES. Pleasingly, the Deputy Premier has continued that. Those young people were involved in the round table that I spoke about.

A separate session was run with them by the Advocate for Children and Young People. Those young people came together and talked about what they want out of social media use and issues with online bullying. We had two or three of those round tables. They included the police, parents, the eSafety Commissioner and representatives from organisations, including Kate and Tick Everett, the parents of Dolly, from Dolly's Dream. There was a lot of goodwill and good faith. There were also social media companies there. As I have said, it has gone quiet since we on this side left government. I urge Minister Houssos, who is in the Chamber, and the Deputy Premier to look at where that work got up to within the department and to re-engage. We would happily offer bipartisan support. We would be happy to be involved, because we all need to be working on this collaboratively.

Lastly, a lot of members spoke about not having phones when they were young. The challenge for this generation is that they all have a device that can ping at any moment that says, "Come and have a look at what

someone has said about you." That is what we are dealing with. Unless we start to address those issues, this generation of young people will have to deal with far more than we ever had to deal with. This is not about returning to the way things were. We are never going to be able to do that. But we should create a version of childhood and adolescence that keeps young people anchored in the real world while still helping them to flourish in the digital age. That is the challenge we have as policymakers and it is a challenge we should continue to collaborate on.

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

Motion agreed to.

NATIVE FOREST LOGGING

Ms SUE HIGGINSON (16:00): I seek leave to amend private members' business item No. 1001 standing in my name on today's *Notice Paper* by omitting in paragraph (1) (b) "or one hour before dawn" and inserting instead "local time".

Leave granted.

Ms SUE HIGGINSON: Accordingly, I move:

- (1) That this House notes that:
 - (a) changes made in February 2024 to the Coastal Integrated Forestry Operations Approvals were agreed to by the New South Wales Environment Protection Authority and the Forestry Corporation of NSW;
 - (b) the changes were designed to protect the habitat trees for greater gliders, which are endangered with extinction and required searches for den trees to be conducted no more than one hour after sunset local time;
 - (c) 188 breaches of this new condition have been reported to the New South Wales Environment Protection Authority across nine State forests including:
 - (i) Flat Rock;
 - (ii) Clyde;
 - (iii) Currowan;
 - (iv) Shallow Crossing;
 - (v) Olney;
 - (vi) Riamukka;
 - (vii) Styx River;
 - (viii) Sheas Nob; and
 - (ix) Bondo.
 - (d) illegal native forest logging is currently occurring within forests identified for inclusion in the Great Koala National Park.
- (2) That this House calls on the Government to:
 - (a) direct the New South Wales Environment Protection Authority to issue stop work orders on all alleged noncompliant logging while investigations are underway; and
 - (b) suspend all current and planned native forest logging until an audit for compliance can be completed.

At the beginning of this month conservation groups undertook a review of site-specific biodiversity conditions for greater gliders using data available on the Native Forestry Map Viewer. The results of that review are deeply troubling. They call into question the lawfulness of ongoing native forest logging in at least nine State forests and demand an urgent stop to logging while investigations are undertaken. The site-specific biodiversity conditions were subject to change in February, following repeated breaches by Forestry Corporation, to identify greater glider den trees during broad-area habitat surveys. Forestry Corporation had been looking for nocturnal animals during the day in logging areas with known populations of endangered greater gliders without protecting identified hollow-bearing trees that could have contained sleeping animals.

In what can only be described as intentional bastardry, Forestry Corporation had skirted its responsibilities to identify and retain habitat trees for the endangered greater gliders. It is only by the actions and activities of the community that this awful operating procedure was uncovered. It took community members camping out in forests to locate and report den trees that were wilfully avoided by Forestry Corporation. That was a statewide problem, but in November 2023 the issue was brought to a head when the community reported 1,200 breaches of the regulations within Tallaganda State Forest. The numbers in Tallaganda, a known stronghold of greater gliders, were genuinely shocking: Out of 1,800 hectares that were surveyed for den trees, Forestry Corporation identified just one den tree in the entirety of the area.

That ridiculous situation was once again corrected by community members and conservation groups who conducted proper surveys and found 27 den trees in just eight hectares, and 20 of those had logging occurring within 50 metres of them, which is a serious breach of the conditions. Following those breach reports, Forestry Corporation replied that it was all legal and there were no stipulations that surveys must be conducted at night. It took the discovery of a dead greater glider near a logging area for the Environment Protection Authority [EPA] to issue a stop work order while investigations were undertaken. Why did it have to take the discovery of a dead animal to trigger a stop work order?

The community pressure put on the Government as a result of Forestry Corporation logging greater glider habitat trees motivated the change that occurred in February. The change was initially underwhelming in the face of extinction logging, but it should have ensured that surveys were conducted in a manner consistent with identifying and protecting den trees. That change required surveys to be undertaken for greater gliders within the hour of sunset to ensure that the movement of nocturnal animals into or out of den trees was more likely to be recorded and the habitat for threatened species would be significantly more protected. The change was also agreed to by Forestry Corporation.

That brings us to where we are now, with another systemic and under-the-table abuse of forests and 188 new breaches committed by Forestry Corporation against a condition it agreed to just three months ago. During 243 transect searches in those nine forests, 261 greater gliders were sighted but only nine den trees were identified in line with the criteria. If all of those den trees were protected during logging, 95 per cent of the sighted gliders would not have had their dens protected under the new conditions. The issue becomes clearer when we see the results of the community review that revealed 188 of the transects, or 77 per cent, were not undertaken during the specific time. In fact, all nine of the den trees were identified within the required time periods, demonstrating precisely why surveys looking for nocturnal animals entering or leaving their den should be conducted at times when those animals are doing what the survey seeks to detect.

The lack of compliance is doubly concerning because the new conditions only require 10 per cent of the whole area that will be logged to be searched for dens. With such widespread and blatant noncompliance in a system where the environment is already being put last, the Government must ensure that the EPA is reminded of its responsibility to regulate Forestry Corporation. The audit by the community, although reliable, cannot be a substitute for strong regulation. All logging should be stopped so that the EPA can do its work.

The Hon. Emily Suvaal: Point of order: My point of order relates to Ms Sue Higginson's use of unparliamentary language in her contribution when she said "intentional bastardry" in reference to the work of Forestry Corporation. I ask that she withdraw those two words as they are unparliamentary and reflect poorly on our good public servants in Forestry Corporation, who do not have a right of reply.

Ms SUE HIGGINSON: To the point of order: I do not remotely think that language was unparliamentary. I am not talking about public servants; I am talking about contractors who deliberately and brazenly breached logging conditions. Wide latitude is given. The language was not offensive; it was a description of the most serious wrongdoing. We are talking about breaches of environmental laws on the public forest estate. I do not think it is remotely unparliamentary or offensive.

The Hon. Emily Suvaal: Further to the point of order: I take the point that the member may not have been referring to public servants, but she was referring to workers who do not have a right of reply in this place. I maintain that the words "intentional bastardry" are offensive and reflect poorly on the people to whom the member referred. I ask that those words be ruled out of order. The member failed to mention in her contribution that she believed those actions were wrong. Perhaps it would have been better to say that instead of "intentional bastardry".

The Hon. Tania Mihailuk: To the point of order: I understand the sentiments of the Hon. Emily Suvaal, and I agree with her, but I have heard the word "bastardry" used in this House on a number of occasions and it certainly has not been challenged in the time that I have been here. I can think of a number of reasons for using that word in debate on a motion that I moved the other day about the New South Wales Labor Party. I do not think Ms Sue Higginson was being malicious, nor do I think that she should withdraw her remarks, as was suggested by the Hon. Emily Suvaal. However, I understand the point of order and agree with the general sentiment.

Ms SUE HIGGINSON: Deputy President—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Unless you are going to withdraw your remarks, I have heard enough. It is time for me to rule on the point of order.

Ms SUE HIGGINSON: I was just going to add the dictionary definition of "bastardry", which is "unpleasant behaviour".

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I know what the definition is. I have been called it many times and will no doubt be called it many more. I am prepared to make my ruling. I do not find the term offensive at all. It was not directed at any individual. Had it been directed at an individual, it might have been a different decision. I allow the remark to stand.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:09): The Government does not support the motion for the basic reason that the regulatory role of the Environment Protection Authority [EPA] is, rightly, an independent one. It is not up to this House or me as the Minister to direct it on how to go about its regulatory work. The motion fundamentally misunderstands the important role of the EPA. I place on record that it is absolutely inappropriate for me to direct the EPA. Other members of this House would like me to direct it in a whole range of ways other than how we deal with it.

I say to Ms Sue Higginson that I will never direct the EPA because of its regulatory function. It is important we keep those functions separate. It would be like having the police Minister direct the NSW Police Force, which we accept that Minister does not do. We should therefore not accept it in relation to the EPA. I put on record the work undertaken to date by the EPA, as the regulator, to protect greater gliders. In February 2024 the EPA put in place new protections for greater gliders and their den trees, with new landscape protections. It did this via protocol changes and a site-specific biodiversity condition under the coastal integrated forestry operations approval. These new protections include a requirement to undertake nocturnal surveys to find greater gliders and their dens—the subject of a lot of this motion.

The protections also include the maintenance of the application of a 50-metre exclusion zone around greater glider dens; the additional retention of six greater glider trees per hectare greater than 80 centimetres in diameter—or the next largest size, where those are unavailable—in areas with high population density, bringing the total number of hollow-bearing trees to be retained to a minimum of 14 per hectare; the additional retention of four greater glider trees per hectare greater than 50 centimetres in diameter—or the next largest size, where those are unavailable—in lower population density areas, bringing the total number of hollow-bearing trees to be retained to a minimum of 12 per hectare; and the retention of additional hollow-bearing trees and recruitment trees in areas where greater gliders are unlikely to occur.

I am aware that the EPA has received a detailed and complex report from South East Forest Rescue on behalf of an alliance of environment groups, including a submission from the World Wildlife Fund. I know a lot of work has gone into that report. It alleges the Forestry Corporation of NSW has not complied with the search and survey requirements of the site-specific biodiversity condition. The allegations relate to 16 forestry operations, covering 27 compartments in nine forests, and nine current harvesting operations. These alleged breaches are with the EPA and are being assessed and analysed, as is required. These are complex issues. Saving greater gliders from extinction is something this Government takes extremely seriously. However, I am not going to direct the work of the EPA.

The Hon. SARAH MITCHELL (16:12): I indicate that the Opposition does not support this motion, largely for the reasons outlined by the Leader of the Government. She said very clearly that the Environment Protection Authority [EPA] operates with its own level of independence and has the power, as members know, to investigate matters or allegations raised with it. Members have talked about this issue in this place before. At the end of last year I directed a number of questions to the Minister about stop work orders on the South Coast and their impact on the timber industry. It is clear that industry needs to operate under a number of rules. There is already the power within the EPA to issue stop work directions when it feels that is necessary. This motion to have the Government intervene is overreach from the member. In fact, it is not the appropriate process when it comes to the role of the EPA and what it can do. The Opposition also has concerns specifically with paragraph (2) (b) of the motion, which reads:

- (b) suspend all current and planned native forest logging until an audit for compliance can be completed;

This is overreach. The timber industry is very important. We need to give security to those who work in that industry.

Ms Sue Higginson: So is environmental protection.

The Hon. SARAH MITCHELL: I note the interjection about the importance of environmental protection. I am not arguing it is not important. My point is that this industry already operates under a very clear set of rules in managing threatened species and other issues. From what the Minister has just said, my understanding is that investigations have been underway, which is appropriate. That is how these things need to be managed. We should let the EPA do its work, let the timber industry continue its important work and leave it to the processes already in place to deal with these matters as they arise.

Ms CATE FAEHRMANN (16:14): I support this motion moved by my colleague Ms Sue Higginson, who has been an incredible forest campaigner for many years. It is disappointing to hear the environment Minister talking about the retention of some hollow-bearing trees in forests inhabited by endangered greater gliders. It is incredibly disappointing to hear that it is okay if we clear some threatened species habitat—particularly a threatened species listed as endangered at the Federal level after the bushfires—because we are retaining a few hollow-bearing trees. To clear the habitat of greater gliders in the area of New South Wales where we saw millions of hectares of forest destroyed is an extinction plan. Greater gliders are on the brink of extinction in New South Wales, and clearing their habitat is what extinction looks like.

Time and again, for at least the past 20 years, the community has stepped up and identified breach after breach in these forests by Forestry Corporation in almost every State forest across New South Wales. In the motion Ms Sue Higginson identifies some of those forests, but we could move such a motion about almost any forest that Forestry Corporation has gone into in the past 10 years. This is how it behaves; it is its modus operandi. Every time community members go into a forest with the corporation's prescriptions, knowing the rules around what it can and cannot do, they find hollow-bearing trees and koala feed trees that should not be knocked over and destroyed. I take my hat off to those community members and applaud them for doing that. The EPA and the Government should be ensuring that Forestry Corporation is sticking to the rules—but it cannot stick to the rules. It goes into those forests and destroys threatened species habitat, in this case the habitat of an incredible Australian animal that will become extinct if this Government does not stop what Forestry Corporation is doing.

Ms SUE HIGGINSON (16:17): In reply: I thank the members who contributed to debate. I point out that it is the responsibility of both the Minister for Agriculture and the Minister for the Environment to take proper note of what is happening across the public forest estate. When serious allegations are made and the EPA is not acting—and in fact is acting inconsistently—that is the business of the responsible Minister. I understand and appreciate the independence of the EPA, but the reality is that it is answerable to the Parliament and the laws that established the EPA. The motion simply calls for the use of a mechanism to maintain the status quo and stop the destruction—to simply issue a stop work order whilst investigations of noncompliance are underway. That is all this motion is asking for.

[Members interjected.]

Mr Deputy President, the interjections—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Ms Higginson, you reap what you sow. The member will continue.

Ms SUE HIGGINSON: I commend the community that went in this morning and stopped the logging operations in the State forest where the illegality is happening. They are holding up the environmental laws of this State, which this House is responsible for. I cannot believe the complicity of the House in the environmental destruction happening on the front line. The last time the EPA took action, it took finding a dead endangered animal on the ground in Tallaganda State Forest. That State forest is still under a stop work operation because of the illegalities. The illegalities happening across the public forest estate need to stop. All this motion seeks to do is bring those illegalities to the attention of the EPA and empower it to intervene and issue a stop work order. The motion seeks to empower the EPA to stop the illegalities, the wanton destruction and the extinction logging taking place across the public forest estate, for which the Parliament is responsible.

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

The House divided.

Ayes6

Noes33

Majority.....27

AYES

Boyd
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst (teller)

NOES

Banasiak
Borsak
Buttigieg
Carter
D'Adam

Kaine
Latham
Lawrence
MacDonald
Maclaren-Jones

Munro
Murphy
Nanva (teller)
Primrose
Rath (teller)

NOES

Donnelly
Fang
Farraway
Graham
Houssos
Jackson

Martin
Merton
Mihailuk
Mitchell
Mookhey
Moriarty

Roberts
Sharpe
Suvaal
Taylor
Tudehope
Ward

Motion negatived.

*Documents***ERARING POWER STATION CLOSURE****Production of Documents: Order**

The Hon. JACQUI MUNRO (16:28): I seek leave to amend private members' business item No. 1015 as follows:

- (1) Inserting at the beginning:
 - (1) That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 4 March 2023 in the possession, custody or control of the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Treasury, or the Department of Climate Change, Energy, the Environment and Water relating to the extension of Eraring Power Station:
 - (a) all ministerial briefings or departmental advice to the Minister; and
 - (b) all draft and final terms of any arrangement between Origin and the State concerning the closure date or extension timeline.
- (2) Omitting "21 days" and inserting instead "28 days".
- (3) Omitting paragraph (b).

Leave granted.

The Hon. JACQUI MUNRO: Accordingly, I move:

- (1) That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 4 March 2023 in the possession, custody or control of the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Treasury, or the Department of Climate Change, Energy, the Environment and Water relating to the extension of Eraring Power Station:
 - (a) all ministerial briefings or departmental advice to the Minister; and
 - (b) all draft and final terms of any arrangement between Origin Energy and the State concerning the closure date or extension timeline.
- (2) That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 4 March 2023 in the possession, custody or control of the Premier, the Treasurer, the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Premier's Department, the Cabinet Office, the Treasury, or the Department of Climate Change, Energy, the Environment and Water relating to the closure of Eraring Power Station:
 - (a) all documents relating to any arrangement between Origin Energy and the State concerning the closure date of Eraring Power Station;
 - (b) all documents relating to the impacts of any arrangement between Origin Energy and the State on the State's finances, budget, liabilities, asset or rights;
 - (c) all documents relating to possible alternatives, and their impacts, to an extension to the closure date of Eraring Power Station, including the impacts of projects to be delivered under Long-Term Energy Service Agreements, the Capacity Investment Scheme contracts, or the Waratah Super Battery;
 - (d) all documents relating to the need, risks, and challenges of any extension or arrangement between the State and Origin Energy regarding the Eraring Power Station including any document relating to:
 - (i) the prospect of Origin Energy extending the operation of the power station without an arrangement between the State and Origin Energy;
 - (ii) the risk, prospect or concern that other power station owners bring forward the closure of their power stations or seek financial support from the State;
 - (iii) investment in new generation being impacted by an extension of the Eraring Power Station; and
 - (iv) the risk of higher payments being made to counterparties under Long-Term Energy Service Agreements.

- (e) all documents relating to any agreement between Origin Energy and the State being considered under any Orderly Exit Management Framework following the consultation process commenced by energy Ministers in December 2023, including any transitional arrangements contemplated by page 56 of the consultation paper on that framework, including any advice on the costs or impacts of such a scenario; and
- (f) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I thank honourable members for their support for the motion. I note the amendments balance the need to interrogate important details about the reasons behind ministerial decision-making on the operation of Eraring Power Station and the details of the arrangement as quickly as possible, while allowing the Government time to gather broader information about the process of decision-making and further details. There are a range of reasons that the motion is being supported across the Chamber, and I will let members speak for themselves. We all have a shared commitment to ensuring transparency and accountability on behalf of the people of New South Wales.

At this point the Minister for Energy has declined to provide details of the negotiations with Eraring Power Station and with Origin, citing their confidential nature while also declining to say how long the Government might seek to keep Eraring open beyond 2025. The decision to extend the operation of a coal-fired power station is a significant one and getting to the bottom of it provides important information about energy reliability and affordability for the State. This decision may cost the taxpayer tens to hundreds of millions of dollars across the forward estimates. At this stage the Minister has declined to share the cost of extending the operation of Eraring.

There are still legitimate and serious questions about what advice the Government has received and how it will determine its course of action. Is there a reliability gap in power? Will Origin continue operations without a government subsidy? What is the impact on energy costs? Is this Government committed to net zero by 2050 and a 70 per cent reduction in emissions by 2035? There is a lot at stake. Taxpayers deserve to understand how their money is being spent, why and what advice the Government has been provided to support that decision. This motion attempts to find information that will answer these questions. I commend the motion to the House.

Ms ABIGAIL BOYD (16:32): On behalf of The Greens I indicate that we support the motion. I thank the Hon. Jacqui Munro for moving the motion and also the Minister's office for negotiating some amendments to try to limit the scope. When we are dealing with Standing Order 52 we are always open to consider amendments that relieve the impact on the operations of government, whilst still maintaining the purpose of the SO 52. I think that is what the honourable member has negotiated here. We are happy to support the motion as amended. I took a particular interest in this issue in the last term of Parliament and I remember reading the privileged documents at the time that disclosed the discussions that the previous Treasurer and Minister for Energy, as he then was, had had with Origin in relation to the Eraring Power Station.

My colleagues and I are intrigued to see what the tenor of the current negotiations have been with Origin to understand why Origin is potentially being given special treatment. Although the announcement is very much on the cards, I know we have not seen anything officially. The concern we had in the last term of Parliament was that the operator of the station and the Government were perhaps playing politics, that perhaps the power station was going to close, when it had no intention of doing so, in order to get some sort of guarantee from the Government. That is just speculation but we would like to see how that has now played out, because in our understanding it is not necessary to keep the Eraring Power Station open. We would like to understand on what basis the Government has made that decision, if in fact it has. The Greens support the motion.

The Hon. MARK LATHAM (16:34): I support the Standing Order 52 call for papers and congratulate the Hon. Jacqui Munro on the well-researched terms in which it has been presented to the Chamber. It is very comprehensive and goes to a cluster of important issues, particularly the orderly exit framework management questions, because for Origin it has become a question of management. When it first announced the impending closure it was clear—and I think common sense would tell us—that we cannot close one of these power stations overnight; the turbines are closed one by one. It adjusts its maintenance budget accordingly; it is a big operation. Effectively, in May 2024, it is five minutes past midnight. It would have started the process on the schedule that was outlined at the time of the announcement. I think it was an 18-month lead time for full closure. That has now passed. The Government must be in deep negotiation by this time on how to keep the power station open and effectively keep the lights on in New South Wales.

It is critical work. One of the big factors has been the very mild summers that we have had the past three years. As soon as The Greens said there would be a climate change inferno after the bushfires in 2019-20, we got mild and wet summers thereafter. I wish they would come to the racetrack; I would lay them all day. With a hot summer at any stage in the next couple of years, we need Eraring as it is almost certain the lights will go out. The Government is aware of that. The Government supported the roadmap. A couple of prophets said if it supports the roadmap then inevitably there will be the early closure of these coal-fired power stations and we will have to do something about it to keep the lights on. That has come to pass.

The Minister representing Matt Kean told me time after time it was not necessarily true; that renewables were the miracle solution. It has not come to pass. We do need Eraring but most particularly we need the information in the motion to find out the cost, the terms, the arrangements that are being made. There was a sneaking suspicion in the way of politics that perhaps the Government would do this on budget day. It was not ruled out. The Minister said it is unlikely. A lot of things that are unlikely come to pass in the sneaky tactics of modern politics. We have to keep an eye on this issue. It is good that things have been negotiated and we will all be having a close look at these documents in light of the many lengthy debates that we have had about energy security in New South Wales.

The Hon. TANIA MIHAILUK (16:37): I support the motion and the sentiments expressed by speakers in the debate. We want information in relation to everything we can when it comes to the Eraring Power Station. There has been a veil of secrecy for months and months on end. Articles have sprung up and leaks are occurring.

The Hon. Penny Sharpe: Don't believe everything you read, Tania.

The Hon. TANIA MIHAILUK: A significant leak the other day suggests that something of the order of almost a thousand jobs will be lost at Centennial. That leak is coming from the union and the Minister knows it. It is not coming from anywhere else and it certainly suggests that it is unlikely—

The Hon. Penny Sharpe: It's got nothing to do with Eraring; it's a separate issue.

The Hon. TANIA MIHAILUK: It is not a separate issue, Minister, because Centennial has previously provided coal to Eraring. Can the Minister guarantee that it will continue in the future? I do not know. At this stage does Origin already have reserves of coal? Has it already made an agreement with an alternative source, rather than Centennial? These things do matter because we are talking about a significant number of jobs and families who rely on those jobs at Centennial and the stability that companies like Centennial and Origin need to have, as well as ancillary workplaces and businesses that have relied on companies having those arrangements in place.

It is important for that information to become publicly available. It is a wonderful opportunity for the Parliament to peruse what types of documents the Ministers have and why this has continued to drag on. The announcement was made almost 12 months ago after the Minister praised the former energy roadmap. She then said the only difference was that the Government would continue the arrangements with Eraring Power Station, which everybody knew would have to be the case. The reality is that the only way to keep the lights on in New South Wales will be to have coal-fired power and Eraring Power Station continue.

I support this motion and acknowledge the work of the Hon. Jacqui Munro in putting it together and amending it to ensure the Government supports it. The only reason Government members will support this motion today is because they know that they would have lost the vote regardless. Every time that I have asked questions on notice or in this place about Eraring Power Station I have not got answers. I know that other members of this House who have asked questions also do not get answers. Maybe we might finally see some of the answers the public need to know relating to the contractual arrangements that this Government has with Eraring Power Station.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:40): To be clear, the Government does not support this motion. I appreciate that there is a significant level of interest in the Government's engagement with Origin and its plans for the Eraring Power Station, as there should be. Every dollar of taxpayer money needs to be looked after and protected. As the Treasurer has said on numerous occasions and I have said at nearly every press conference since I became the Minister, our position on this is not a day longer and not a dollar more as we undertake discussions with Origin relating to the future of the power station. Last year the New South Wales Government released the energy check-up that recommended the need to consider an extension given that we must build renewables as quickly as we can while making sure there are not shocks in the market as coal-fired power is inevitably withdrawn.

Despite what others keep claiming, there has been no secrecy about this. I have said this on numerous occasions. I have committed at budget estimates and a range of places that once a decision has been made—and the Government has not made a decision—I will publish as much information as I am able to. It is a pretty cheap trick to say that everything is secret and the Government is not telling anyone anything. We actually have responsibilities around protecting taxpayer interests in any discussions that we may be having and in the final outcome. There are also market sensitivities. Let us remember that this would be a hell of a lot easier if we had not decided to privatise the system that we are now trying to transition away from. None of this is easy. I have been really up-front about that and will continue to be so. There will be bumps in the road as we undertake the transition, and I am not hiding from the difficult decisions that we have to make.

The Hon. Jacqui Munro was not here in the previous Parliament. She was not here when the previous Minister for Energy could not decide, over many days, whether he did support an extension, did not support an extension or maybe supported an extension. He had to do embarrassing interviews on the radio because he could not explain his position. He has spent the past six months pontificating about secret documents, but he never told anyone in Parliament about negotiations he was having with Origin at the time. I will not be lectured by members on the other side of the House about secrecy or transparency.

I am making a commitment to this place, as I have from day one, that I will be up-front and that the Government will provide as much information as it can. We will be happy to brief anyone who wants to come. We have not made a decision yet, but members will know when we do and the information will be provided. It is okay to move a Standing Order 52 motion—I have moved many of them before. We are going to lose the vote on the motion today, but the point is that some assertions have been made that are blatantly incorrect.

The Hon. JACQUI MUNRO (16:43): In reply: I thank Ms Abigail Boyd, the Hon. Mark Latham, the Hon. Tania Mihailuk and the Leader of the Government for their contributions to the debate. The matter clearly unites lots of people because it is of public interest across the political spectrum. We are trying to use the powers of this House in an appropriate way to protect taxpayer interests. That is what we are doing today. I do not think there needs to be any particular argument about the substance of anybody's reasons for doing this. What is clear is that there is a commitment to transparency and accountability.

I am sorry if I mischaracterised the Government position earlier; I was misinformed. The Government will not support this call for papers, as we just heard, but this House will vote in favour of the motion with the support of the Opposition and many members of the crossbench who are committed to finding out more information on behalf of the people of New South Wales. I look forward to perusing the documents when they arrive. Once again, I thank honourable members for their assistance with drafting the motion and getting it to a point where the majority of us could agree.

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

Motion agreed to.

Bills

EMERGENCY SERVICES LEVY AMENDMENT BILL 2024

Returned

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

Motions

WAKELEY CHURCH INCIDENT

The Hon. MARK BUTTIGIEG (16:45): I move:

- (1) That this House acknowledges the trauma and suffering caused by the stabbing attacks at the Christ the Good Shepherd Church in Wakeley.
- (2) That this House condemns the violence and destruction outside the church.
- (3) That this House supports the response of police and paramedics, and thanks them for their bravery.
- (4) That this House praises the religious leaders who called for calm and for people of different faiths to treat each other with compassion.
- (5) That this House denounces all forms of violence and hate.

One month ago today, Bishop Mar Mari Emmanuel was stabbed during a service at the Christ the Good Shepherd Church in Wakeley. There was a violent response outside the church, with police and paramedics receiving the brunt of it and social media running rampant with harmful material broadcast for all to see. The incident has deeply impacted not just Wakeley and local faith communities but the entire State, particularly in the wake of the relatively recent Bondi Junction incident. In New South Wales there is no place for hate, extremism or racism. It is so important in these times that we come together against this behaviour.

Strike Force Petrina and Strike Force Dribs were engaged by the Minister for Police and Counter-terrorism and the NSW Police Force to investigate the stabbing and the response outside the church. Faith leaders from Western Sydney met on the night of the incident with the Premier, the Minister for Multiculturalism, the Assistant Commissioner of Police, the Secretary of the Premier's Department and the CEO of Multicultural NSW. Following the meeting, they released a statement standing against violence, promoting calm, respect and unity and calling on the community to work with police and first responders. The Faith Affairs Council also put out a statement in

the days after the incident speaking against violence and expressing that no-one should feel unsafe in a place of worship.

Multicultural NSW activated two important mechanisms to connect with its networks, listen to communities and facilitate unity following the attack. The Community Resilience and Response Plan Committee, known as the COMPLAN Committee, brings together New South Wales government agencies to respond to issues that impact social cohesion. The committee was called a day after the attack to look at the services available for people impacted by the incident and share them with the community. The Community Partnership Action Program digital youth alliance, known as COMPACT, was also triggered in the week after the attack, bringing together young people from all over the State to discuss combatting the hate disseminated online through social and digital media. COMPACT will be expanded with a further \$3 million per year investment in the program from this July.

The Government has also taken action against social media content posted about the incident that encouraged hate or extremism, including graphic videos of the incident, and this is ongoing. In the difficult times that New South Wales has experienced recently, it is heartening to see how the community comes together. We must promote cohesion and harmony in the community, and that is the strength of Multicultural NSW and the faith communities. It is why soon the Government will be awarding \$5 million in grants to religious organisations to ensure that people can gather safely to process and practise their faith and religion.

I thank the first responders and police, who were faced with a very difficult situation. I send my best wishes to those impacted by the attack. I acknowledge local members David Saliba and Nathan Hagarty, both of whom were on the scene giving real-time feedback to the Premier and the Minister for Multiculturalism. The value of that real-time feedback was recited to us in the party room. It enabled the Government to respond in a very timely and efficient manner. I also acknowledge Minister Kamper, the Premier and Minister Catley for their timely and efficient response to the incident.

What matters in these types of situations is the degree to which we use our diversity, our multicultural society and our ability to bring people of all faiths together to respond—not just in a reactive way but in a pre-emptive, preventative way—so that we might learn from the incidents and try to avoid them in the future. It is critically important that we understand that young people need a place for mentoring and spiritual nourishment, and that is what those organisations can provide. I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (16:50): I thank the Hon. Mark Buttigieg for bringing this motion to the House. On behalf of the Opposition, I voice our support. On 15 April 2024 at Christ the Good Shepherd Church during a religious service which was being live streamed, His Grace Mar Mari Emmanuel, a priest and a layman were allegedly stabbed by a 16-year-old boy. Bishop Emmanuel was stabbed in the right eye, resulting in permanent damage. The other two victims also received lacerations. Thankfully, none of the victims lost their lives.

The police declared the attack a terrorist incident. There are places around the world where attacks on participants during religious services do occur. In New South Wales we expect our places of worship to be places where religious services can be held safely and securely. Violence, extremism, hate and destruction have no place in our society. It is not surprising that Bishop Emmanuel's congregation was extremely upset by the news of the attack during a religious service in its church. However, some of the acts by those who assembled at the church after the incident, including, it appears, people who had no connection with the church, were reprehensible. Any attack on police while carrying out their duty of keeping the peace, and on paramedics offering care, is completely unacceptable.

The Opposition joins in thanking the police and paramedics who attended on 15 April 2024, wishing a full recovery to those who were injured, and unreservedly condemning acts of violence and vandalism directed at those frontline workers, their vehicles and their equipment. Any notion that direct punishment of an alleged perpetrator or reprisal attacks on other communities or places of worship by private individuals or community groups would be appropriate or acceptable responses to the stabbing incident is misguided and foolish. Our community is based on the rule of law. It is for the police to investigate, apprehend and charge alleged perpetrators without fear or favour.

Following these acts of violence and hate, our religious and community leaders also banded together to ensure there was support for those in the community impacted by experiencing or witnessing what occurred. Time and time again, our religious leaders have shown how they play an integral role in supporting, helping and serving their communities and the people of New South Wales. Community harmony takes commitment. It takes a concerted effort from all sections of our society. What we saw following these tragic events was exactly that: members from all corners of our community banding together to denounce hate and violence, and to support those affected. It is only together—when we all stand up, stand united and denounce all forms of violence and hate—that we can build an even stronger society to counter extremism, divisiveness and hate.

The Hon. TANIA MIHAILUK (16:53): I move:

That the question be amended by inserting "both inside and" after "violence and destruction".

I will speak to my amendment and the reason that I am moving it. I accept the sentiments of the mover of the motion. Indeed, the speakers so far have made it very clear that the violence that took place outside the church was horrific. We know that. I think it is important to understand this. We all were horrified when we saw what the paramedics and the police experienced, and I think something in the order of 50 cars were damaged outside the church. There is no question that that type of violence is completely unacceptable. But it is important to note that violence and destruction took place inside the church and two members of the clergy were viciously attacked. It is important that any motion that is moved in this House acknowledges that there was violence that took place inside the church and that that type of violence is utterly unacceptable.

What most people were horrified by was the fact that a bishop and a priest were stabbed. It horrifies me. If it was my church, I would be horrified. I can understand and appreciate how upset some of the parishioners were and how members of the community may have overreacted in the way they behaved outside the church. However, if we are going to move a motion like the one that has been presented by the Hon. Mark Buttigieg, it is important to acknowledge that there was violence inside the church. And let us be honest: If the violence inside the church did not take place, I do not think you would have seen any violence outside the church. It was their bishop.

As someone who is a practising Christian of her own faith, I would have been horrified if this had happened to my bishop in my church. I can understand people being vehemently distraught and probably experiencing a plethora of mental health issues on that night when they saw somebody from whom they seek guidance being attacked. I ask the Government to accept my amendment. I agree with the rest of the motion. Hopefully the Government can agree to my amendment.

The Hon. MARK LATHAM (16:57): I support the amendment and hope that it is an amended motion that is supported through the House. It is important to condemn the violence and destruction not only outside the church but also, as the Hon. Tania Mihailuk has pointed out, inside the church. It was a chilling moment—a horrifying moment—for religious freedom and safety in Australia to have a terrorist knife attack inside one of our churches in Western Sydney, so that point needs to be made. Otherwise, the motion is a credit to the Government. I suggested it in the debate about the knifing attacks and murders at Bondi. I thought on that day that the Government should have also made mention of Wakeley.

They were two attacks within the space of three days that horrified people in this country and internationally, and it would have been appropriate then—as it is appropriate now—to acknowledge the problems and condemn the violence inside and outside the church at Wakeley. I hope the Government is successful with its \$5 million to make the churches safer. I would like to hear more detail about that. Most of all, we should stand up for the principles of religious freedom and tolerance, and safety inside churches, and hope that something like this never happens again.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:58): Today marks one month since the knife attack on 15 April at Christ the Good Shepherd Church in Wakeley. It was a day that none of us ever wants to see repeated in our State. Nobody should ever feel unsafe in their place of worship. Our police and paramedics should never feel unsafe as they do their jobs. The attack on 15 April was a cowardly act of terrorism. One thing that we have learned during the course of the past month is that hate, terrorism, violence and division will not win in this State. The people of New South Wales chose peace over conflict and unity over division. Despite the misinformation and the disinformation spread across social media by a small minority, the people of New South Wales have chosen a different path. We could have chosen conflict, but we chose peace. We could have divided; instead we chose to unite.

The New South Wales Government worked with faith leaders to coordinate the response. The Government took a promise at the last election to establish a NSW Faith Affairs Council, and I acknowledge the work done by my colleague the Minister for Multiculturalism, Steve Kamper, on delivering that promise. The Government knew the important role that the council would play in a crisis, and the events of 15 April highlighted just how critically important it is. Within hours of the incident, the council—which represents a diverse range of religious communities across our State—showed leadership in calling for calm. They were unequivocal in their condemnation of violence and were united in saying that religion should never be used as justification for terrorism.

There are of course other issues that need to be addressed in the wake of the attack. I assure the Chamber that the Government is working with others to address the spread of hateful, extremist and violent material online. It is the view of the Government that online material that incites must be taken down immediately, and the Premier

has written to the Prime Minister regarding this. We have also offered the Commonwealth Government support for laws that will hold social media platforms to account through substantial fines and other sanctions.

We are not just waiting for the Commonwealth to take action, though. Days after the Wakeley event, Multicultural NSW kickstarted the COMPACT digital youth alliance, which is an initiative that is building a new online community of allies committed to combating online hate. Social cohesion in our multicultural and multi-faith community is precious and must be protected. We are better in this State because of our diversity. The New South Wales Government will continue to foster unity, combat hatred and extremism and support all of the great communities that make up the State. As I am sure the Hon. Mark Buttigieg will indicate, I also say that we are happy to accept the amendment from the Hon. Tania Mihailuk. The point is that people need to be able to express their faith and go to their places of worship and be safe. We are determined to make sure that this does not happen again.

Ms CATE FAEHRMANN (17:01): On behalf of The Greens I support the motion because we endorse the response of the paramedics and police on that night. It was a difficult night. But I put on the record the response of the Muslim community following this event. They have been concerned about the transparency and accountability of law enforcement. The statement that they issued on 26 April says:

On behalf of the Australian Muslim community, including peak organisations such as the Australian National Imams Council, the Alliance of Australian Muslims and the Australian Muslim Advocacy Network, we address the deeply troubling recent incidents and the subsequent responses by authorities.

The differing treatments of two recent violent incidents—the senseless stabbing deaths at Bondi Junction and the tragic event at Wakeley Church—are stark. The Bondi incident was quickly deemed a mental health issue, while the Wakeley Church attack was classified as a terrorist act almost immediately. This inconsistency is further exacerbated by the handling of a recent case where an individual left a suspected bomb with a political message outside a home, yet this has not been labelled terrorism. Such disparities in response create a perception of a double standard in law enforcement and judicial processes.

We must also address the problematic and longstanding issue of racial and religious profiling, which has been part of the societal fabric for decades.

...

Furthermore, the recent raids resulting in the arrest of seven minors, coupled with advance media notifications, underscore a concerning pattern of questionable law enforcement tactics. Despite reports to the contrary, there was no consultation with the community prior to these operations. The lack of evidence pointing to a concrete threat or plan among these youths, as noted by senior police officials, calls into question both the necessity and the manner of these operations. This lack of transparency exacerbates the distress within our community.

We demand the Government and Law Enforcement agencies commit to an immediate and thorough inquiry into the processes leading up to these raids, ensuring transparency and accountability.

There is more to the statement, but I will say in the time remaining that as somebody who had a brother diagnosed with paranoid schizophrenia, who pulled a knife on someone at our school when he was 15, I think that the link between mental health issues such as paranoid schizophrenia and religious or spiritual delusions is strong. If an individual with mental health issues acts in this way, we have to be careful before labelling it terrorism.

The Hon. STEPHEN LAWRENCE (17:04): I speak in support of the motion. It is true, as Ms Cate Faehrmann said, that in the aftermath of this terrible incident, which threatened social cohesion in such a real way, there was a lot of discussion in the community—particularly on social media but also in statements from representative bodies and so forth—about the classification of the matter. It is important to note that the definitions of "terrorism" and "violent extremism" come from a variety of sources. There is legislation, such as the terrorism, high risk offender legislation that defines them, and there are Federal and State policy pronouncements that define them as well.

In summary, terrorism is defined as "conduct that is intended to advance a political, ideological or religious cause," and as "conduct that seeks to coerce, intimidate or threaten the government or the public". It is the classic type of terrorism, such as hostage-taking situations that is motivated by a particular cause and the threat is made that the people will not be released unless the government does a particular thing. The definition of "violent extremism" is slightly different; it essentially omits the second part. As I understand, that was brought in to address the nihilistic, jihad terrorism where horrible events are done in the name of religion but not accompanied by a particular demand so there was no clear intent to coerce government. It is important to appreciate that when police apply these definitions, they are not necessarily speaking to the seriousness of the conduct. Conduct classified as terrorism or violent extremism could be less serious than conduct that is not classified as such.

To take the terrible events at Bondi Junction as an example, it seems on what has been reported publicly that police officers have not been able to identify a political, religious or ideological motivation, hence it has not been so classified. I do not want to traverse too far into the facts of the Wakeley matter as that is before the court, but one would infer from what has been reported publicly that police officers have been able to arguably identify—obviously it is an investigation and a court case—some religious, political or ideological motivation. That would

explain why these two events are classified differently and why they are investigated by specialised or different types of police officers. It does not speak to the inherent seriousness in comparison between these two events. It is because there has been a concerted government effort for decades to get on top of this problem of terrorism and violent extremism. It has needed specialist responses, and that is why the definitions exist.

The Hon. MARK BUTTIGIEG (17:07): In reply: I thank my colleagues for their participation in the debate: the Hon. Damien Tudehope; the Hon. Tania Mihailuk, who moved an amendment which we will accept; the Hon. Mark Latham; the Hon. Penny Sharpe; Ms Cate Faehrmann; and the Hon. Stephen Lawrence. The Hon. Mark Latham requested further detail. My understanding is that \$5 million that will be announced in weeks is part of a \$15 million program that will go for four years. The \$5 million will be for this year. It is a fulfilment of an election commitment by the Premier. The first round of applications closed at the end of February with grants of up to \$200,000. To address Ms Cate Faehrmann's point, the commissioner made that decision, and the Government supports the decision of the commissioner. Honourable members would understand that it is untenable for a government to not back in the Commissioner of Police, who is best equipped to make that decision in accordance with the Federal legislation.

I make the more general point, which I also made in my opening remarks, about the advantage that New South Wales, in particular, and Australia more generally, have with the diversity of our communities, at the multicultural level and faith level, and how important it is to use that to bring the community together. It is not just in a reactive way, which is necessary. There needs to be a proportionate response to protect our people, who want to be safe in their place of worship. They should feel that they have the ability to do that. We should also look at the systemic causes behind these sorts of things.

When we see young males who may be exposed to religious extremism, we all bear a responsibility to understand the root causes as to why someone would go down that path by weaponising their religion in such a violent act. It is reprehensible and unforgiveable. It should be punished and dealt with. We need our multicultural communities to reach out to those young people and give them the outlet that they need to go down the right path, instead of weaponising religion to commit acts of violence like this, which is obviously not a sane thing to do. I thank members for their contribution to the debate. I commend the motion to the House.

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

Amendment agreed to.

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

Motion as amended agreed to.

HUMELINK ENERGY TRANSMISSION PROJECT

The Hon. WES FANG (17:11): I move:

- (1) That this House acknowledges that Transgrid, as the developer of the HumeLink energy transmission project, has pledged community benefits funding to "boost the people who live and work in the regions local to Transgrid assets or construction".
- (2) That this House notes that the current proposal put to the regulator for community benefits is approximately 0.003 per cent of the project's total cost and a small fraction of the amount allocated to communities elsewhere in the State affected by similar infrastructure.
- (3) That this House calls on both the State and Federal governments to do all they can to make sure the Australian Energy Regulator and Transgrid approve and provide appropriate and adequate compensation for communities along the route.

I acknowledge the presence of Dr Joe McGirr, the member for Wagga Wagga, in the President's gallery, who has been an absolutely tireless advocate for the community, fighting against HumeLink and Transgrid. He has been supportive of the community's wish that the project be undergrounded. Certainly, he was a real driver for the inquiry into the undergrounding of renewable energy infrastructure. I thank him for his support and for his tireless work for our communities. I note that Dr Joe McGirr moved a similar motion in the other House.

We are talking about support for the community when a renewable energy infrastructure project is slammed down on their properties. It affects not only the landholders but also the whole community. The community wants this project to be undergrounded. Time and time again, that message came through loud and clear in inquiries. It has come through loud and clear in the feedback that the community gives us. I note that the Minister is in the Chamber. The Minister has been reluctant to support the community and to listen to the voices of the people in the Riverina, saying that HumeLink should go ahead as an overhead project.

If that is the case, it is only right that the community should be compensated fairly when such projects are imposed on them. People in rural and regional New South Wales are absolutely sick and tired of being treated like second-class citizens. We saw it with the water privatisation bill that was moved in this House at the start of the

term of Parliament, when Labor refused to protect regional water utilities. We are seeing it again now with these projects being forced on communities. We have seen the tactics of those opposite and the way that these projects are being forced on communities. We have seen it in Central-West Orana and with HumeLink.

The difference is that Central-West Orana has been promised \$128 million in support because of the renewable energy infrastructure projects. HumeLink communities are receiving only \$15.6 million from Transgrid, which is 0.003 per cent of that project cost. When we force these projects on rural and regional communities, it is incumbent upon us to make sure that they receive their fair share. I do not think that 0.003 per cent of the project cost that is diverted into supporting the community is enough. Central-West Orana receives \$128 million; I do not think that HumeLink should get only \$15.6 million. It is fair that this House and this Parliament seek to make sure that all rural and regional communities receive their fair share when such projects are imposed on them.

We need those communities to be treated equitably. We are not seeing that at the moment. I acknowledge that the communities of Central-West Orana are also impacted by those projects, but they get \$128 million in community support. The community where Dr Joe McGirr and I live are due to receive \$15.6 million. There needs to be equity. I call on this House to ask the State and Federal governments to ensure that the regulator and the constructor of these lines appropriately compensate their communities so that when such projects are forced on communities—and they are only ever forced on rural and regional communities—those communities get their fair share. I commend the motion to the House.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:16): The Government does not oppose the motion. In fact, we thank the honourable member for his new-found interest in delivering the benefits of the transition to renewable energy in New South Wales. It has been a long time coming, but we are glad that he is at the table. As the detail around delivering those benefits is likely new, it is worth recapping what has happened so that the member understands where we have got to.

When the energy infrastructure road map was established, it had not considered payments to those hosting transmission lines beyond what was mandated under the land acquisition Act. Through the Strategic Benefit Payments Scheme, this Government has enhanced the benefits to landholders hosting major new transmission infrastructure. Through this scheme, private landowners in New South Wales will receive \$200,000 per kilometre of transmission infrastructure on their land. Those payments are in recognition of the critical role that those landowners will have in the transition to a clean economy and to ensure that they share directly in the benefits of this significant economic investment. The payments will also establish an ongoing and diversified income stream for those landholders, which can, in turn, provide indirect economic benefit to the local community.

Transmission is a critical enabler of the energy transition, which is essential for achieving our net zero goals—something that all sides of the House have agreed on through our support for the energy infrastructure road map and the climate change bill, which passed this House earlier this year and committed to and legislated our need to meet our emissions reduction targets. The Hon. Wes Fang should be aware that Transgrid is a regulated network business. Transgrid must apply to the independent regulator, the Australian Energy Regulator [AER], for determination on what project and operating costs it can recover.

Transgrid's Social Licence Framework outlines its approach to building and maintaining community acceptance across its projects. The Social Licence Framework indicates that it would like for around 1.0 per cent to 1.3 per cent of a major project's total cost to be directed to social licence measures. Transgrid has proposed at least \$11 million of indirect capital expenditure for community investment activities as part of the cost of completing HumeLink. Those costs are currently being considered by the AER, whose decision is expected in July. As I have noted, the Government is committed to delivering benefits for the community and is already having success in Central-West Orana through its work.

The Hon. Wes Fang: Blackmailing landholders.

The Hon. PENNY SHARPE: The Hon. Wes Fang might like to know that about 95 per cent of landholders have come to an agreement on Central-West Orana, which is better than any other State or Territory. The member has set himself on fire, huffed and puffed and blown the house down on HumeLink, but that project was undertaken and approved by the previous Government—and even underway—and we did not hear a boo out of him. I acknowledge the work of the member for Wagga Wagga, Dr Joe McGirr, who has stood up and argued hard for his community every step of the way. He continues to have productive and important discussions with the Government, Transgrid and landholders as we move through this project.

Ms CATE FAEHRMANN (17:20): On behalf of The Greens I support the motion. I also support what the Minister said at the end of her contribution about the Central-West Orana Renewable Energy Zone being well

and truly underway when the Opposition was in government and that Opposition members were not very noisy about it then. I have sat on the two parliamentary inquiries into undergrounding transmission, the first of which opened my eyes to the appalling way that Transgrid had dealt with regional communities up until that point regarding HumeLink. The way in which Transgrid presented evidence to the committee about underground verses overhead transmission lines, its extreme dismissal of community concerns, its lack of enthusiasm and its complete disregard for undergrounding technology drew the ire of an extremely frustrated community.

I understand that transmission infrastructure cannot be undergrounded everywhere all the time, and that we must act fast and not delay the rollout of infrastructure. However, energy transmission providers can do things differently. In some ways, EnergyCo has dealt with the community a lot better than Transgrid. Its community consultation, the information it provided and the way in which it talked about different options for undergrounding was very different to that of Transgrid. It seems that Transgrid got the community offside very quickly by completely dismissing the feasibility of undergrounding infrastructure, so it has a lot of work to do to build social licence. Landholders are incredibly concerned about what overhead transmission infrastructure looks like on their properties. There are even reports of double lines and more infrastructure needing to be built. What the motion proposes is the least that the State and Federal governments can do. It is mild but The Greens support it. We will also continue to support communities to ensure that renewable energy infrastructure benefits the communities where it is placed.

The Hon. EMILY SUVAAL (17:23): I support the motion. In doing so, I begin by acknowledging the work the Government has done in this space since coming to power. In his contribution the Hon. Wes Fang mentioned the \$128 million contribution for the Central-West Orana Renewable Energy Zone. That figure is in place specifically because it is a renewable energy zone [REZ]. I am not sure whether the member is suggesting that the Government should consider having a renewable energy zone as part of HumeLink as well, but that is how the funding came about. It would be interesting if the member were suggesting that it would be a good idea for Wagga Wagga to have a REZ.

The Hon. Wes Fang: No. Nuclear for Wagga.

The Hon. EMILY SUVAAL: I acknowledge the interjection.

The Hon. Wes Fang: Nuclear power for Australia, in fact. Let's go!

The PRESIDENT: Order!

The Hon. Tara Moriarty: Based in Wagga Wagga too?

The Hon. Wes Fang: Sure. I'll have one in my backyard.

The Hon. EMILY SUVAAL: I acknowledge that interjection as well.

The PRESIDENT: The Hon. Emily Suvaal will be heard in silence.

The Hon. EMILY SUVAAL: I am quite enjoying the interjections, but I will continue. The member would also be aware that the Central-West Orana Transmission Project has been rolled out. The HumeLink project and other major transmission projects, as well as New South Wales renewable energy infrastructure, are essential for decarbonising the State's energy system and meeting its net zero targets, which were passed through legislation by Parliament with bipartisan support in December last year. The Government is also delivering strategic benefits payments of \$200,000 per kilometre to landholders on top of the mandatory just terms compensation payments. None of that would be possible without transmission, which provides the backbone of the State's energy system.

The Government is committed to minimising the negative impacts and leveraging the opportunities of HumeLink for enhancing regional infrastructure and regional economies. To this end, it is progressing a broad range of initiatives independently and in partnership with the Commonwealth, other State jurisdictions and key stakeholders. The Government will also continue to explore opportunities to improve outcomes and deliver a just transition to a net zero economy in New South Wales. I welcome the bipartisan support for the motion and I congratulate the Hon. Wes Fang on his 12-month anniversary of caring about the HumeLink project.

The Hon. SAM FARRAWAY (17:26): I was not going to contribute to debate on the motion, but I will speak in support of my colleague the Hon. Wes Fang, in particular about the Central-West Orana Renewable Energy Zone, where there has been a hit-and-miss approach from developers. I direct my contribution about what is happening on the ground to the Minister, in good faith. Within the renewable energy zone [REZ], renewable energy developers are doing the right thing and they have taken a good approach with the community and landholders. They are ticking the boxes. The Minister has been selling the Government's message, which would be expected from a Labor energy Minister.

I am not criticising the Government, but I put on record that other developers in the Central-West Orana Renewable Energy Zone have done nothing short of a shocking job of consulting with the community—namely, RES Group, which has a track record of developing projects and then flogging them off. It is a foreign-based renewable energy developer responsible for the Kerrs Creek Wind Farm proposal. RES Group must do better by the constituents and communities of the Cabonne shire. If renewable energy zones are going to work and if renewables are going to be part of the energy mix, developers need to do better with their initial community consultation. I highlight the Kerrs Creek Wind Farm proposal because it does not fit. The developer has not done the work and it should go back to the drawing board. The community expects RES Group to get this right.

There has been a significant amount of development in the Central-West Orana Renewable Energy Zone. Government members highlighted that the REZ was started under the Coalition. I have always said New South Wales needs an energy mix, and renewables should be part of that. But unless developers get community consultation right from the beginning and take them on the journey, there will always be angst around the coexistence between renewable energy, mining and agriculture. If there is going to be community harmony, consultation needs to be done right from the start.

The Hon. WES FANG (17:29): In reply: I thank the Minister, the Hon. Penny Sharpe, Ms Cate Faehrmann, the Hon. Emily Suvaal and my colleague and friend the Hon. Sam Faraway for their contributions. I will address a few things that were brought up in debate. I note that the Hon. Emily Suvaal said that the Central-West Orana money was due to the fact that it was a renewable energy zone [REZ]. That is the fear around HumeLink. Those high-tension AC overhead powerlines are effectively turning that whole route into a potential REZ. We know that because in Wagga Wagga Dr Joe McGirr and I have been dealing with a number of issues around pop-up solar farms because it is so easy to tap into the infrastructure. There is a real fear in that community that, by building HumeLink overhead, the ability to tap in very easily is going to create a pseudo REZ. That is another reason funding is so important.

I note that Ms Cate Faehrmann said I have moved a mild motion. This is not a mild motion. I have moved a motion that I believe is a genuine attempt to recognise that the community wants the powerlines undergrounded. There is no question about that. They have been clear from day one. But, if the Government is going to force it overhead, the community needs to be fairly compensated. All the motion is trying to do is say that the State and Federal governments need to make sure that the infrastructure constructors provide community development money so that community members can be compensated for what they are losing. The communities will be forced to live with the infrastructure project; they need to be compensated fairly.

HumeLink will probably go overhead. The Minister is not keen on having it undergrounded. That is a real disappointment and a real shame. But in the case of it going overhead and if this motion is supported, where the rubber hits the road is the dollars for our communities. I hope that this motion is the catalyst for the Minister to provide funding for our communities. Lastly, such projects would not be required if we went nuclear. I know that there has been a lot of talk about that. But ultimately, let us be honest: If you want to decarbonise the economy, then you go with nuclear power. The Government can run all the scare campaigns it wants. The young generation coming through is going to understand that it is the only way to have carbon-neutral base load power in this country.

The Hon. Mark Buttigieg: You should keep campaigning on that.

The Hon. WES FANG: I will. I am absolutely happy to.

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

Motion agreed to.

WORKING AND SPORTING DOGS

The Hon. ROBERT BORSAK (17:32): I move:

- (1) That this House affirms its support for dogs to be bred and used as working and sporting dogs in New South Wales.
- (2) That this House notes that:
 - (a) our mutually advantageous relationship with canids is traced back to the late Pleistocene cave paintings which depict our prosocial cohabitation with dogs both here in Australia and in other parts of the world;
 - (b) our respect for one another is indicated by the finding and excavation of the Bonn-Oberkassel dog, in which pieces of 14,000 year old skeletal canid remains were found buried amongst humans;
 - (c) dogs go above and beyond each and every day, not only as beloved family pets, but as loyal members of the workforce;
 - (d) a working and sporting dog is a canine working animal that learns and performs tasks to assist or entertain its human companions;

- (e) detection, herding, hunting, search and rescue, police and military dogs are all examples of working dogs, and they do many important jobs from hunting, to border protection and bomb detection, to alerting people to life threatening situations;
 - (f) working and sporting dogs cannot just be picked up from rescue shelters;
 - (g) working and sporting dogs need to be bred for specific traits that have been selected over hundreds of years; and
 - (h) dogs have been and always will be valued members of the New South Wales workforce.
- (3) That this House calls on the Government to recognise the important role of working and sporting dogs and affirms its support for dogs to be bred and used as working and sporting dogs in New South Wales.

The recent death of my nearly 16-year-old beloved hunting mate, German shorthaired pointer Aushund Epsilon, who we lovingly called Brno, that I bred, whelped and trained prompted me to think about the role of working dogs in New South Wales. The Shooters, Fishers and Farmers Party believes it is imperative that we champion the breeding and utilisation of working and sporting dogs, and that we recognise the myriad of crucial roles those remarkable animals play in New South Wales and Australia. On farms across the State, working dogs are indispensable partners in agricultural operations, aiding farmers in herding and guarding livestock.

The world-renowned dog trainer Steve Austin bred and trained the dogs that cleared Macquarie Island of rabbits and rats. That conservation outcome could not have happened without human and dog cooperation. Hunting dogs have been used to indicate, trail and retrieve game as well as pest animals in a cultural activity for Indigenous and non-Indigenous hunters that goes back at least 14,000 years—that we know of. In law enforcement, working dogs serve as highly trained and dependable allies, assisting police officers in apprehending suspects, detecting illicit substances and conducting search and rescue missions. Moreover, in matters of national security and defence, working dogs play critical roles in detecting explosives and conducting reconnaissance missions.

Seeing eye dogs help people who are blind move through the community more freely. Those dogs, along with assistance dogs, allow people with disabilities to maintain more active and independent lives. However, as we acknowledge the invaluable contributions of working and sporting dogs, we must also confront the challenges posed by extreme animal rights and the Animal Justice Party's policies. We need to call out the nonsense notion that animals are our equals. A farmer friend recently posted on Facebook that, when he works his cattle, he often sees his cattle dogs enter a dam for a drink and then urinate and defecate in it whilst standing in the water. He further asked if it would it be acceptable if someone went out to dinner with you and got up on the table to do something similar alongside the salt and pepper. Obviously not, so it is high time to stop repeating the nonsense notion that animals are our equals, which the Animal Justice Party, extreme animal rightists and other misguided followers of the despicable Peter Singer assert.

The Animal Justice Party's bill on puppy farms is misguided, particularly in the context of working and hunting dogs. That is evidenced by the legislation in Victoria. In 2017 Victoria passed a restrictive bill aimed at curbing puppy farming, but it has instead driven it underground, complicating enforcement and oversight. Ethical breeders, including those specialising in working dogs crucial for various industries, have faced undue pressure and operational costs and challenges due to those regulations. The puppy farm legislation put forward by the Animal Justice Party is actually cruel and should not be supported. The Shooters, Fishers and Farmers Party affirms its support for the breeding and utilisation of working and sporting dogs in New South Wales; they are even in our logo.

We also believe we must never lose sight of the vital roles those animals play in our society. We must advocate for responsible breeding practices that prioritise the effectiveness and welfare of working dogs while also addressing the concerns raised by extreme left policies related to euthanasia to remove unwanted traits and behaviours. We are talking about real dogs that work, hunt, race and run, not fluffy designer lapdogs to carry to the local trendy cafe as a fashion accessory. We must ensure that our working dogs continue to serve as steadfast workers, hunters, sporting dogs, guardians, protectors and companions, enriching our lives, continuing our culture and safeguarding our communities. I am sure I will see my Brno in another place as my companion and hunting mate.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:36): The Government supports the motion. I am sorry for the loss of the Hon. Robert Borsak's dog, which I think he said he had for 16 years. That makes it a member of the family. The Government acknowledges the important role that all dogs, and especially working and sporting dogs, play in our society. Those animals not only are companions but also perform critical roles invaluable for the industries that they contribute to. For that reason, the Government will not be opposing the motion moved by the Hon. Robert Borsak.

Under the Prevention of Cruelty to Animals Act 1979 and the Companion Animals Act 1998, a working dog is defined as "a dog used primarily for the purpose of droving, tending, working or protecting stock, and includes a dog being trained as a working dog". As seen on the television series *Muster Dogs*—a must watch—the ancient herding art form is enjoying a renaissance in Australia. That is because working dogs are a key reliable workforce for farmers. According to research from the University of Sydney, Australian working dogs are agile endurance athletes and can work in all types of terrain for long hours in all kinds of weather conditions. Their strong-eyed style of herding with natural posture and movement means they are highly sensitive to and adept at controlling moving livestock.

Farmers have told me that training a working dog is not a quick process but the returns are more than worth it. The unique bond a farmer has with their best mate shows the benefits of using dogs, including that they have a low cost of upkeep and offer low-stress livestock handling. Given the special role that dogs have in our society, the Government does have a responsibility to ensure that the legislative framework that underpins the protection of those animals is robust and ensures their welfare. The New South Wales Government remains committed to ensuring that our animal welfare laws are strong, flexible and reasonable to reflect stakeholder needs, including those of our farmers. The *Code of Practice - Care and management of farm (working) dogs* recognises the distinct role that working dogs hold while also ensuring the health and wellbeing of the animals.

Farmers know that confidence in good animal welfare practices is critical to maintaining public support for and the sustainability of industries that are dependent on animals. The Government is committed to a range of actions to strengthen the animal welfare framework in New South Wales. Those actions include reviewing the funding arrangements for approved charitable organisations legislated to conduct compliance and enforcement activities under the Prevention of Cruelty to Animals Act, being the RSPCA and Animal Welfare League; introducing a "fit and proper person" regime that will prevent people convicted of an aggravated animal cruelty offence, multiple animal cruelty offences or repeat animal cruelty offences from being involved in the keeping and breeding of companion animals; and the banning of puppy farms in New South Wales. We recognise the work that is done by working dogs. They should be treated properly. We are committed to the best animal welfare regime, which we will soon create.

The Hon. SAM FARRAWAY (17:40): On behalf of the Opposition I support the motion, which I thank the Hon. Robert Borsak for moving. He was certainly very thorough in providing a detailed history of the human-canine relationship. I make a couple of points on the motion. The Opposition supports paragraphs (1) and (3). We support dogs being bred and used as working and sporting dogs across New South Wales, and particularly the role of working dogs in regional New South Wales. Members of The Nationals acknowledge and recognise the important role of working and sporting dogs because, as regionally based MPs, we deal with people on the land who work in primary production.

The role of a kelpie or other dog to a farmer or farming operation is really important. They become part of the family; they become a mate. They work side by side with the farmer, whether it is a bloke or woman—or whoever—day in, day out, which is really important. In my time as president of a show society, I came across the cat people, the horse people and the dog people as well. There are show dogs and there are working dogs. If one ever wants to understand how smart they are, as well as the training, breeding and effort that goes into the traits, training and obedience of working dogs in particular, go and watch the working dog section at a rural show.

For many years I set up grandstands for the working dog section at the Royal Bathurst Show because it was one of the most popular sections. All weekend people came to sit and watch with fascination as dogs worked with their owners to round up a herd of sheep. They are so smart. They have that ability to interact with humans. It is fascinating to sit for 20 minutes and watch that in a competition format. That is my experience with working dogs. I give that perspective because we fully appreciate the training, traits and obedience of the dogs, and the effort, love and compassion of their owners. They play an important role in the bush and particularly in farming operations.

The Hon. EMMA HURST (17:42): It will come as no surprise to members that the Animal Justice Party cannot support the motion. I understand the Hon. Robert Borsak recently lost his dog, Brno. I am very sorry to hear about that. We know how hard those times are when we lose a family member and companion. I send the member my condolences. However, the motion covers the use of dogs in many settings, and my focus is on the member's praise for the use of dogs in hunting, which would include notorious pig dog hunting. Pig dog hunters often send me footage of their hunting trips hoping to horrify me. The footage shows dogs tearing pigs apart while the pigs scream for their life and fight back. The pigs attack and tear apart the dogs as they try to escape. That is not a sport; it is a blood fest of cruelty and suffering. I do not believe that this House should pass a motion today that gives a nod in that direction.

A former colleague of mine, Lynda Stoner—who is also an actor—went undercover to a pig dog training session held by the Game Council. Participants were told that if dogs are torn apart as part of the fight, gored dogs

could be wrapped back together with cling wrap to hold in their intestines, and that a stapler could be used to staple their bodies back together. It is no wonder that individuals in the NSW Police Force rural crime units have advocated for clarifying those laws to ensure that pig dogging is made illegal. They noted that it is a major problem with rural trespassing on private properties. The mover of the motion mentioned the puppy farm bill. I put on record that the puppy farm bill is focused on the intensive factory farming of dogs for the pet trade industry. We were very careful to ensure that the bill is tailored to focus on the factory farming of dogs within the pet trading industry. His fears around the bill and the content of his motion are quite unfounded. Finally, I note that paragraph (f) of the motion states:

... working and sporting dogs cannot just be picked up from rescue shelters.

The Hon. Robert Borsak is obviously not aware of the many rescue groups across New South Wales that rehabilitate and rehome working dogs. I highlight for the member that they do incredible work. I urge members to oppose the motion.

The Hon. RACHEL MERTON (17:45): I am very pleased to support the motion of the Hon. Robert Borsak concerning the vitally important and ongoing role of working and sporting dogs in New South Wales. I commend him for moving a motion that rightfully celebrates the positive and, quite frankly, indispensable role working dogs play in our society. I have a non-working dog, a beaglier named Dash. He spends his days lying in the sun waiting for chicken necks. He is popular at polling booths and transport stops, and Liberal blue is his colour. We love him dearly. I also have experience with working dogs, so I can appreciate the indispensable role they play in our society. The motion states that working and sporting dogs are an integral part of our workforce and they play a key role in aspects of our everyday lives.

We have been privileged to meet assistance dogs here at Parliament on more than one occasion. They are trained to assist those with disabilities or mobility issues. Search and rescue dogs are charged with locating missing people or survivors from disasters and accidents. Guard dogs act as deterrents. Many report that they are better at protecting families and businesses than any alarm. Police dogs are very well known and widely admired. Drug detection dogs, usually labradors—sadly opposed by some members of Parliament—are deployed to search houses, cars, people and personal property to detect illegal drugs. There are also dogs who detect firearms, explosives and human remains. New South Wales police dogs are among the best trained in the world, and they bring safety to the people of our community.

My main experience with working dogs was on the family farm in Central West New South Wales. We have used Maremma sheepdogs to protect stock, particularly lambs, from wild dog attacks. One only has to see firsthand what wild dogs can do to lambs to understand the importance of protecting them. Today we use coolies. They are magnificent, loyal herding dogs. The farm could not operate without those working dogs. The working dog is essential and integral to our agricultural industry. My colleague the Hon. Sam Faraway referenced their contribution to agriculture. The ABC reported that working dogs deliver a fivefold return on investment. It calculated that the average cost of owning a working dog to be just \$8,000 across its lifetime, yet the value of its work was valued at \$40,000.

The motion rightly points out that working and sporting dogs cannot be picked up from rescue shelters. They are bred for specific traits and have been selected over hundreds of years. The Opposition does not disparage animal rescue shelters. I have visited many of them and I hold them in the highest regard, particularly the volunteers and professional staff. But our working and sporting dogs have unique skills and abilities, and we recognise them today.

Ms ABIGAIL BOYD (17:48): On behalf of The Greens I indicate that we will oppose the motion, which we see as an attempt to affirm support for the unethical breeding of dogs. Assistance dogs including guide dogs, psychiatric support dogs and other assistance dogs play a vital role in supporting people with disability to live full, dignified and independent lives. These highly trained disability service dogs provide a variety of everyday support and assistance to their companion humans. However, there is a clear distinction between disability service animals and intensively and selectively bred working dogs for military, hunting, police and other industries. In an earlier contribution the Hon. Rachel Merton listed a number of different uses that humanity puts animals to where we cannot conceive of deploying other means than putting dogs in those positions.

I agree with the Hon. Emma Hurst that, when it comes to hunting, there is really no excuse for putting a dog in such danger. There is no excuse for going through that selective breeding process, the harsh and inhumane environments they are subjected to and the way those animals are treated at the end of their apparently useful lives. It is particularly disgusting that we would accept the continued overbreeding and use of dogs in those environments. I take on what the Hon. Robert Borsak said when moving the motion. In his view, he did not agree with the idea that animals are equal to humans—a validly made distinction between different members in this House. I do not see myself as superior to all other beings on the planet.

I do not understand how the idea that we would put these animals into work—from what I understood from the member's contribution—simply because they cannot hold a salt and pepper shaker at a dinner party is at all relevant to whether they are sentient beings with the right to not be exploited for something as stupid as hunting. The Greens have long supported breeding caps, especially for dogs. We have supported the end of selective and intensive breeding and the elimination of cruel practices in relation to breeding and confinement of animals. We cannot support a motion affirming support for the continued cruel and unethical large-scale breeding of working and sporting dogs. We oppose this motion.

The Hon. ROBERT BORSACK (17:51): In reply: I thank the Minister, the Hon. Tara Moriarty, as well as the Hon. Sam Faraway, the Hon. Emma Hurst, the Hon. Rachel Merton and Ms Abigail Boyd for their contributions to debate. Before I wrap this up, I say that the term "working dog" is a misnomer. Yes, these dogs work, but they love what they do. It is in their DNA to do what they do. For example, a dog working sheep actually loves it. Greyhounds love to run. They are not forced to run. They are not being punished to run. Kelpies are not being punished to do what they do. German short-haired pointers are not being punished to work in the field. Contrary to what members have said, pig dogs rarely, if ever, have their guts ripped out—and they certainly do not tear pigs apart. That is simply an untruth.

The reality is that the assistance of dogs in the conservation hunting area, in all the forms members have outlined—I will not run through all that again—is essential to the functioning of us as people, and of society, the community and all the industries in which dogs work with us. We cannot remove the dogs from humans. Over the decades a lot of research has been done into how dogs got associated with humans, going back to wolves. The reality is they are still trying to figure out whether we have trained and bred the dogs or whether the dogs have trained us. We know that all cats train humans—that is simple; we just do what they want us to do—but our relationship with dogs is more complicated, more nuanced. When I talk about my dog being nearly 16, that is nearly 110-years-old for a human. The reason he lasted so long was that he loved to do what he did. His heart was strong. His lungs were strong. The only thing that beat him in the end was literally old age; otherwise, he would still be going today. I commend the motion to the House and thank all members for their contributions.

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

Motion agreed to.

Documents

ASSISTED REPRODUCTIVE TECHNOLOGY

Production of Documents: Order

The Hon. JACQUI MUNRO (17:54): I seek leave to amend private members' business item No. 1014 for today of which I have given notice by omitting "Nepean Blue Mountains Local Health District", "Northern Sydney Local Health District", "Western Sydney Local Health District", "Central Coast Local Health District", "Far West Local Health District", "Hunter New England Local Health District", "Illawarra Shoalhaven Local Health District", "Mid North Coast Local Health District", "Murrumbidgee Local Health District", "Northern NSW Local Health District", "Southern NSW Local Health District", "Western NSW Local Health District", "Sydney Children's Hospitals Network" and "St Vincent's Health Network".

Leave granted.

The Hon. JACQUI MUNRO: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2023 in the possession, custody or control of the Premier, the Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast, the Premier's Department, the Cabinet Office, the Ministry of Health, South Eastern Sydney Local Health District, Sydney Local Health District or Western Sydney Local Health District relating to assisted reproductive technology:

- (a) all documents relating to the contamination of gametes or embryos in laboratory settings;
- (b) all documents relating to complaints regarding the storage or use of gametes or embryos;
- (c) all correspondence between Genea Fertility Clinic and NSW Health relating to:
 - (i) the contamination of gametes or embryos; and
 - (ii) complaints about Genea Fertility Clinic.
- (d) all documents relating to all terms of contract between NSW Health and Genea Fertility Clinic;
- (e) all NSW Health reports related to the storage, use or contamination of gametes or embryos, including a "Root Cause Analysis Report" or "RCA Report";

- (f) all reports provided by Genea Fertility Clinic to NSW Health relating to complaints, laboratory activity reports and remedial action progress reports;
- (g) all documents relating to recommendations or required remedial actions provided by NSW Health to Genea Fertility Clinic or a registered assisted reproductive technology provider regarding hygiene, safety protocols and audit processes for the use or storage of gametes or embryos;
- (h) any document which discloses the number of patients who utilised the NSW Health-subsidised invitro fertilisation treatment [IVF] cycles available to South Western Sydney patients through the Liverpool Genea's Outreach Clinic;
- (i) all documents relating to the number and content of complaints relating to NSW Health-subsidised IVF cycles available to South Western Sydney patients through the Liverpool Genea's Outreach Clinic; and
- (j) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I acknowledge honourable members for the time they have taken to discuss this important matter with me over the past few days. I thank the Minister's office for its support to ensure this motion is as effective as possible in getting the information we hope will help women and ensure confidence in the system of assisted reproductive technologies in New South Wales. The amendments are to ensure that there is a timely response to the call for papers and a limit to the types of local health districts required to provide papers relating to the actual services they provide. I have been made aware of multiple instances where the final chance at having a child has been taken from women, as embryos have been contaminated and then destroyed because they are considered unviable. These contaminations occurred on or around 10 August 2023.

The objects of the Assisted Reproductive Technology Act 2007 include, at section 3 (b) (i), protecting the interests of women undergoing assisted reproductive technology [ART] treatment. It is a tragedy for society when women who demonstrate their capacity and willingness to become mothers have that opportunity taken from them. It is a deeply personal tragedy for those women who have lost the opportunity to become biological mothers. We know that this has occurred for some women. They deserve to know exactly what happened to the embryos they thought would develop into families. These are the women who chose to speak out, despite or perhaps more accurately because of their pain. Not all women will have the desire to raise legitimate concerns in the face of losing the opportunity to have a biological family. I can only assume that this is a profoundly personal and devastating experience.

There are 20 registered assisted reproductive technology fertility clinic providers across New South Wales. Some operate privately and others in partnership with NSW Health. They provide services, including counselling and IVF, from Albury to Randwick and Wagga to Coffs Harbour. I emphasise that this is not a witch-hunt regarding a single clinic, though we do know that contamination and termination of embryos happened at the Genea Fertility clinic, operating in partnership with the Royal Prince Alfred Hospital in Sydney. Genea operates 11 clinics across the State, including a Western Sydney outreach clinic in partnership with RPA. That program's website states that 100 NSW Health-subsidised IVF cycles have been available from January 2023 and that women in south-western Sydney were encouraged to apply for that program. The website also states:

South Western Sydney has a high demand for fertility support, however women often need to travel to Westmead or RPA hospitals for public patient access to treatment.

These services are critically important to support women through their journey to becoming mothers. We want to ensure that women can have confidence in clinics across the State, which is why this motion is so important. Though this call for papers is limited to NSW Health-associated fertility clinics, it is important that women feel empowered to raise such serious issues if they feel let down or dissatisfied with their experiences.

In 2022-23 the Health Care Complaints Commission received 21 complaints about reproductive medicine practitioners and health organisations, 19 of which referred to the treatment that complainants had. We hope that instances of contamination and destruction of gametes and embryos are rare. The consequences are devastating. If they are occurring more commonly than anyone would hope, we must be aware of it. I thank the House again for the opportunity to call for papers on this important matter.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (17:59): I lead for the Government in the debate on this important motion and indicate that the Government supports the motion as amended. I acknowledge the member and appreciate her interest in assisted reproductive technology and her advocacy in this area. I am advised that the office of the Minister for Health has been speaking with one of the families impacted by the contamination. It is working to provide the family with an explanation of what happened to ensure they have the answers they need to process the experience.

By way of background, Genea Pty Ltd operates laboratory services associated with assisted reproductive technology treatment for patients who attend the Royal Prince Alfred Hospital fertility unit. Those services run internal to Royal Prince Alfred Hospital [RPA] but are independently managed by Genea Pty Ltd. In August 2023

RPA and Genea investigated the source of bacterial contamination that had impacted several embryos in the hospital's fertility laboratory. Bacterial contamination was identified in 23 embryos, impacting three patients. The impacted embryos were discarded. The Royal Prince Alfred Hospital notified those affected and offered support. In line with the Reproductive Technology Accreditation Committee Code of Practice, Genea submitted a notifiable event report to the committee.

The New South Wales Government appreciates that three families have been affected by that and for each of those families it is a deeply personal experience. I assure the community that incidents like those are extremely rare. I am advised that this was the first laboratory contamination event in Genea's history. The acting head of the Department of Reproductive Endocrinology and Infertility at Royal Prince Alfred Hospital has also advised that Genea offered counselling via the RPA counsellor, which is always free of charge and unlimited, and in the event the couple wanted to see a counsellor not associated with RPA, Genea was willing to cover external counselling for up to eight sessions. Genea's usual compensation is to get the couple back to where they were prior to the incident. In this case, it was offering three stimulated cycles of IVF and associated frozen embryo transfers at no cost to the patient and would also cover incidental expenses such as parking.

The Government requested that the member consider amending her motion to limit it to the local health districts involved. I thank the member for committing to do that and amending the motion. Publicly supported lower-cost IVF clinics are located at three facilities, and as such the search should be limited to the three local health districts. We understand this is a really difficult matter. We are treating it with respect and we certainly want to do all we can to support the families through this time.

The Hon. JACQUI MUNRO (18:03): In reply: I thank the Government and crossbench members for their support for the motion. Members of the crossbench recognise the importance of uncovering the facts about such a devastating experience and of exploring whether this is a systemic issue. The papers will reveal that. I again thank the Government for its cooperation.

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

Motion agreed to.

Bills

LOCAL GOVERNMENT AMENDMENT (EMPLOYMENT ARRANGEMENTS) 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. Daniel Mookhey.

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

GENDERED VIOLENCE AND GAMBLING

Ms CATE FAEHRMANN (18:05): I seek leave to amend private members' business item No. 952 for today of which I have given notice by omitting in paragraph (e) ", unregulated".

Leave granted.

Ms CATE FAEHRMANN: Accordingly, I move:

(1) That this House notes that:

- (a) following the alleged murders of 26 women at the hands of men between January and April 2024, criminologist, Michael Salter, has named gambling as one of the clear accelerants of men's violence that needs policy reform;

- (b) 2023 research from the Australian Institute of Family Studies [AIFS] found that 38 per cent of Australian adults gamble at least weekly, with men gambling more often, spending more money and more likely to be at risk of harm;
 - (c) in March 2023, the Australia Institute found that New South Wales has 37 per cent of the world's poker machines that are not located within casinos or other gaming establishments;
 - (d) criminologist and former NSW Police Force officer stationed in Western Sydney, Vincent Hurley, told *ABC News* on 2 May 2024 that gambling addiction is one of the issues that underlie many domestic assaults;
 - (e) award-winning gendered violence author and educator, Jess Hill, has stated that frontline workers are clear about the link between violence and coercive control and harmful industries, such as mainstream gambling;
 - (f) a report released in September 2020 by the AIFS found that gambling reinforces the gendered drivers of violence which therefore intensifies the frequency and severity of violence; and
 - (g) a report published in the peer-reviewed journal, *BMC Women's Health*, found that after reviewing 14 studies, 36.5 per cent of people experiencing gambling harm acknowledged perpetrating physical independent partner violence and noted, after reviewing a separate United States of America survey, that having a gambling problem nearly tripled the likelihood of physical intimate partner violence.
- (2) That this House calls on the Government to recognise the linkages between gendered violence and gambling and ensure actions to reduce the pervasive and destructive presence of gambling in people's lives in New South Wales is a key component of any plans to end men's violence against women.

Over the past fortnight, members have spoken a lot in this House about the devastating impact of gendered violence on women, their families and many other people, and for good reason. The motion looks at one area that is clearly linked to domestic violence. Jess Hill has written about the gambling industry and spoken about it quite extensively. We need to get a handle on it if we are going to look at some of the drivers of domestic violence and how we can prevent gendered violence as much as possible. The motion outlines many statistics and a lot of research that has been undertaken to link the prevalence of gambling and gendered violence in the community.

New South Wales has a gambling problem. The State gambles the most and loses the most money per capita than anywhere else in the world. Governments like to use the term "problem gambling" as though only a small percentage of people who gamble develop significant problems with gambling. Research undertaken by the Australian Institute of Family Studies found that almost half of the people who gamble develop issues. Research also shows that almost half of the people who gamble are classified as "at some risk" of gambling harm; most of those are men.

The most recent data shows that \$8.1 billion was lost on poker machines in 2023; that is an increase of \$29 million from the year before. The people of New South Wales are losing more in poker machines. The link to gendered violence is very strong. A 2020 report by Australia's National Research Organisation for Women's Safety found that women described how their male partner's preoccupation with gambling exacerbated his controlling and self-centred tendencies to the exclusion of his family's welfare. The report stated:

Cravings and urges to gamble, and irrational beliefs about winning, resulted in anger and frustration if unable to gamble, typically directed at the female partner who was blamed for his gambling losses. Many women described how their partner's gambling escalated steeply over time, along with the frequency and severity of his violence.

I refer also to a project that was funded by the Victorian Responsible Gambling Foundation. It looked at programs such as early intervention and prevention around gambling, in particular. It found that there was family violence in up to 50 per cent of families in which there was a gambling addiction. It also found that 75 per cent to 80 per cent of people it defines as problem gamblers use electronic gambling machines or pokies. It said that one way to reduce gambling-related family violence is to minimise the incidence of problem gambling by making pokies safer—I remind members that this is in Victoria.

It is very disappointing that there is not similar research in New South Wales. I know that after the election the New South Wales Government set up a panel to look at ways to reduce gambling harm and whether we need a cashless gambling card. So far that panel has produced not much at all. The motion calls for this Government to recognise that there are linkages between gendered violence and gambling—in fact, the Gamble Aware website says that—and ensure that this very well-established link once recognised becomes a key component of any plan to end men's violence against women. That would be a significant step forward for New South Wales. I commend the motion to the House.

The Hon. NATALIE WARD (18:11): I am grateful for the opportunity to speak and thank Ms Cate Faehrmann for bringing the motion before the House. As a former Minister for Women's Safety and the Prevention of Domestic and Sexual Violence I agree that problem gambling behaviour likely does have an impact on domestic violence rates and it is easy to understand why. Problem gambling increases stress in relationships; it puts pressure on households and frankly on the perpetrators of domestic violence. Addressing problem gambling is one of many examples where government policy in other portfolios can directly impact or improve the lived experience of

victim-survivors or people in relationships where the warning signs are clearly present. It behoves us all to consider how we can bring those opportunities together for prevention.

To address the issues surrounding problem gambling the former Government sought to introduce cashless gaming in New South Wales. I am not having a go—I think we are all on the same team—but the present Government opposed this policy at the time, as a matter of record. It was called "weak leadership" at the time. As the former Premier, Dominic Perrottet, said prior to the last election:

I don't think there's a person in this state who doesn't know someone who hasn't been affected by problem gambling, or will know someone whose family has broken down as a result.

...

The time for trials is over; the time for delivery starts today.

While I do not say that the former Government introduced this policy solely to address the connection between domestic violence and gambling, hopefully all of us in this place would agree that reducing problem gambling likely reduces domestic violence associated with problem gambling. That is why it is disappointing that the Government's cashless gaming trial has gone so quiet. We have not heard what is happening with it. I hope we hear more. Let us face it, the Premier was dragged to this trial by media pressure and we hope that it does happen.

As the Australian Institute of Family Violence commissioned report found in 2020, there is limited recognition by services of problem gambling as a contributor to domestic violence. The challenge becomes: What can government do? The first step is to recognise the connection. The second step is to look to enact policy that reduces problem gambling and the harm it causes. The third step, recommended and supported by a wide variety of stakeholders in the community, is to introduce cashless gaming in New South Wales. That is not a perfect solution. It is not going to fix everything, but it is certainly a start. On that basis the Opposition supports the member's motion and commends it to the House.

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) (18:14): The Government supports the motion. I thank Ms Cate Faehrmann for bringing it to the House for discussion. As Ms Cate Faehrmann and the Hon. Natalie Ward noted, there is no contention from the Government that the link between problem gambling and domestic and family violence is well established. It is established. We recognise that problem gambling is one of the high-risk precursors that can lead to violence in a relationship. It is not the only one, though, and it is important to recognise alcoholism, substance abuse and mental illness as other contributing factors that can exacerbate domestic and family violence.

I make that point because, as we have discussed a number of times in relation to this issue, the Government is trying to take a holistic approach. Yes, it is important to have these moments to recognise particular elements—and I thank the member for bringing this one to the Chamber for acknowledgement and recognition—but we need to make sure that we are working on multiple fronts here to ensure that things like problem gambling are not precursors or contributors to violence in a relationship.

I want to make sure that the House is aware of two key things. They go to recognition within the NSW Domestic and Family Violence Plan of the relationship between problem gambling and family and domestic violence. The first one reflects a point that Ms Cate Faehrmann made: that we need to build the evidence base, and we need to build up the research base, on the relationship between gambling harm and domestic and family violence. That is in fact one of the key components of the plan that we have committed to. Yes, she is right to highlight that that work needs to be done, but I reassure the House that it is recognised as a component of the plan.

The other component of the plan that is worth mentioning is the work that the Government can do with complementary providers—such as assistance for people with problem gambling, financial counselling and actually getting in there and trying to identify the stressors and exacerbators that have contributed to the problem. Those services and that support should be provided in a practical and real way. They are some of the things that have been identified as part of the plan that the Government is undertaking. Ms Cate Faehrmann said that the independent panel of experts that the Government has appointed in relation to gambling harm has done nothing. I do not accept that comment. The panel has launched the trial of cashless gaming. Some 4,000 machines across 26 venues and five manufacturers are now participating in the trial. That is not an insignificant piece of work. We hope to receive the results of that trial soon.

The Hon. ROD ROBERTS (18:17): I add some facts, evidence and balance to the contribution by Ms Cate Faehrmann. Members will recall that I sat on the Joint Select Committee on Coercive Control and as such I spent a great deal of time reading the New South Wales Domestic Violence Death Review Team reports. I quote from page 118 of the 2017-2019 report:

In recognition of the limited knowledge around the co-occurrence of domestic and family violence and problem gambling, ANROWS—

I will tell members what that acronym stands for in a minute—

has funded a research project through the University of Central Queensland, which is examining the relationship between gambling and domestic violence.

ANROWS is the Australian National Research Organisation for Women's Safety—a very austere group. What was the finding of that report? I quote the research policy paper issue number 21 of September 2020. The key findings state:

Gambling does not directly or solely cause IPV. This is evidenced by the fact that the majority of men affected by a gambling problem (be it their own or their partner's) do not perpetrate violence against their female partner.

Let us move on. Paragraph (d) of the motion mentions Vince Hurley, or Vincent Hurley as Ms Cate Faehrmann described him. I call him Vince. Vince has been a friend of mine for in excess of 30 years. In fact, I instructed Vince on his detective training course. Last night I rang Vince and said, "Do you know that you are mentioned in a motion by The Greens?" He said, "No, I don't." I said, "I'll send you a copy, mate." Well, he was not very happy because what he had said had been cherry-picked. He did say gambling was an issue, but he went further and drew my attention to the *Q&A* interview that the member refers to, where he also said that mental health and drugs are the big issue.

Drugs are the elephant in the room. Again, the 2019-21 report of the New South Wales Domestic Violence Death Review Team showed that 33 per cent of male homicide offenders and 45.7 per cent of female homicide offenders had a history of drug use. There are no stats like that anywhere for problem gambling. That is the elephant in the room. That is the inconvenient truth for the member, because the member promotes the legalisation of drugs when the statistics from the Domestic Violence Death Review Team tell us that drugs are a major issue. Reports say that there is no correlation between domestic violence and problem gambling.

The Hon. EMMA HURST (18:20): The Animal Justice Party supports the motion moved by Ms Cate Faehrmann, and I thank her for bringing it today. We know that there is a link between domestic violence and gambling, as the member has outlined. The Hon. Rose Jackson recognised that as well, and I thank her for her contribution. A 2018 study showed that problem gamblers were at least 2.5 times more likely to be a perpetrator or recipient of domestic violence. The evidence also shows that there is a spike in domestic violence offending around the Melbourne Cup and other major gambling events. We also know that there are links between gambling and animal abuse and, in turn, a link between animal abuse and domestic violence. We have gambling and racing industries profiting off a disturbing cycle of exploitation, abuse and violence, which is harming animals and the most vulnerable people within our society.

The Hon. Jeremy Buckingham put forward a motion last week about the tens of millions of dollars received as point of consumption tax, much of which currently goes back to many gambling industries. As I said then, it is entirely unconscionable to allow harmful industries to get these pots of gold. As long as these industries exist, we should redirect their profits towards the most vulnerable in our society to make sure they get the help and support they need. It is time that we have a serious conversation about the link between domestic violence and gambling. I note the Government takes this seriously, and that means we need to take a broad approach that looks at all factors that contribute to rates of domestic violence. There is no doubt that problem gambling is a major factor that has been ignored for far too long. I commend the motion to the House.

The Hon. MARK LATHAM (18:22): I am opposed to the motion for the reasons set out by my colleague the Hon. Rod Roberts in that it is factually incorrect. Clearly, it has verbalised Vince Hurley in terms of his material and throughout the motion it just talks about gambling per se. There is not a single mention of problem gambling. In paragraphs (1) (a) and (b), it is just "gambling". All gamblers, apparently, are going to be perpetrators of domestic violence. Mainstream gambling is mentioned in paragraph (1) (e). In paragraph (2), it is just "gambling" instead of a mention of problem gambling. The reality is that The Greens have become the new wowsers of politics. If The Greens do not share the habit of anyone having a bit of fun or enjoyment in their life, it is the wrong thing and needs to be stamped out. The truth is that most gamblers are responsible and mild. It brings them some joy and activity in their life.

We talk about loneliness and mental illness. People having a mild, responsible bet on their forum of choice is not a social evil and it is not linked to domestic violence. If the motion continually spoke about problem gambling, it would have a bit more credibility, but paragraph (2) reads:

That this House calls on the Government to recognise the linkages between gendered violence and gambling and ensure actions to reduce the pervasive and destructive presence of gambling in people's lives in New South Wales ...

There is no evidence that every single person who gambles is more likely to be a perpetrator of any form of violence. This is complete nonsense from members of Parliament who have become wowsers that look down their

nose at anyone who does not share their habits or activities. We could go on about some of the things that Ms Cate Faehrmann has publicised about her own choices in life. Gamblers should be left alone. Gambling addiction that drives people heavily into poverty is a very different thing to what has been put in this motion.

My colleague mentioned the Coroner's reports by the Domestic Violence Death Review Team. Higher priority is given to a causal link with poverty, underclass, lifestyle chaos, mental illness, drug dependency, welfare dependency, infidelity and Aboriginality as much bigger causes than anything to do with gambling. Where it would be mentioned, it is gambling addiction and problem gambling adding to financial woes and underclass activity. This is a wowser's motion by people who take a weird attitude in public life that if they do not enjoy the activity, no-one else should. The motion is factually wrong. It should not have been on the *Notice Paper* and should be rejected by the House.

Ms CATE FAEHRMANN (18:25): In reply: One would think from the extraordinary contributions by the Hon. Rod Roberts and the Hon. Mark Latham that this motion calls for the end of all gambling in New South Wales. It clearly does not. The Vincent Hurley quote is exactly what he said on *Q&A*, which was that mental illness, drug addiction and gambling addiction are all drivers of domestic violence. He said that gambling addiction is one of the issues that underlie many domestic assaults.

There are women in this State who will listen to the speech made by the Hon. Mark Latham and who will be at home tonight when their partner comes back after going to Canterbury Leagues Club, the Mounties or one of the many clubs. Say their partner loses a thousand dollars on the pokies that was supposed to be paying the rent. He comes home drunk, frustrated, angry, pissed off with himself and takes it out on her. I wonder what she is going to say if she is asked whether poker machines and gambling cause domestic violence. It is extraordinary that we hear tonight that there is no link whatsoever. This is absolutely extraordinary after not just research but knowing the direct experience of women.

It happens, and it happens a lot. This is what the research says. It is absolutely outrageous for the Hon. Mark Latham and the Hon. Rod Roberts to engage in classic Green bashing and say, "Anything The Greens say, let's go hard on it." Of course there is a link. In fact, the Hon. Mark Latham has been talking all week about poverty and entrenched disadvantage in terms of violence. It is not just a minute number of men who lose on the pokies who are violent. It happens a lot. We need to acknowledge that. Hopefully, this motion will get support tonight. I thank members for their contributions.

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

The House divided.

Ayes33
Noes3
Majority.....30

AYES

Boyd	Higginson	Mookhey
Buckingham	Houssos	Moriarty
Buttigieg	Hurst	Munro
Carter	Jackson	Murphy
Cohn	Kaine	Nanva (teller)
D'Adam	Lawrence	Primrose
Donnelly	MacDonald	Rath (teller)
Faehrmann	Maclaren-Jones	Sharpe
Fang	Martin	Suvaal
Farraway	Merton	Taylor
Graham	Mitchell	Ward

NOES

Latham (teller)	Mihailuk (teller)	Roberts
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Motion agreed to.

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

*Bills***JURY AMENDMENT BILL 2024****Returned**

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I report receipt of a message from the Legislative Assembly returning the bill without amendment.

*Motions***STATE FLAG**

The Hon. RACHEL MERTON (20:03): I move:

- (1) That this House affirms its support for the current flag of New South Wales.
- (2) That this House notes that the current flag has represented all people of New South Wales since 1876.
- (3) That this House calls on the Government to rule out any changes to the flag and commit to promoting the flag of New South Wales in the lead-up to its sesquicentenary.

I am pleased to stand before members tonight to move a very important motion concerning a vitally important aspect of our heritage and identity: our New South Wales flag. This motion seeks to affirm our support for our New South Wales Flag, notes its long and distinguished history and, most importantly, calls on this Government to rule out any changes to our flag. Our State flag is closing in on its 150th birthday. This motion encourages the Government to promote the flag of New South Wales in the lead-up to its sesquicentenary.

Our flag is more than just a symbol; it is our identity, our history and our unity. It is a flag that has flown proudly over our State since 1876. Our flag is not merely a piece of cloth but a canvas of our collective memory, dressed in the deep blue of our harbours and skies and adorned with the Cross of St George. It is a testament to our enduring strength and resilience. The lion rampant guardant, a herald of our courage and spirit; the golden stars, a compass by which we navigate. This flag is a daily reminder of who we are and to whom we owe our loyalty. However, there are whispers that suggest we abandon this legacy.

There are those who believe that, in changing times, symbols such as our flag must change too. To them I say that our flag does not simply belong to the era in which it was born but to all eras. It is timeless and does not represent the past alone but also the present and the future. In delving deeper into the sanctity of our State symbols, it becomes clear that the flag enshrined in schedule 2 to the State Arms, Symbols and Emblems Act 2004 symbolises our shared history and collective aspirations. Sadly, however, our New South Wales flag enjoys only a fig leaf of protection.

The Act omits specifics on amendments that leads to the alarming revelation that the flag can be altered by legislative action alone, without requiring a direct mandate from the people of New South Wales. This presents a potential vulnerability. The flag that has united us for nearly a century and a half could be subject to change not just from the present Government but from any future administration. To me, this is not a procedural oversight; it is a matter of profound significance and concern for our State. Should such an emblem of our State identity be at the mercy of shifting political winds?

As we look towards the sesquicentenary of our flag, we seek more than reassurances—we demand certainties. It is imperative that this Government considers introducing measures to safeguard our flag from arbitrary and divisive changes. The Howard Government did it in 1998 when it amended the Flags Act to ensure that the national flag could only be changed if the electorate approves an alternative design. That legislation provides that the existing flag should always be one of the choices offered at a popular vote. We need to do similar in New South Wales, as our flag deserves protection.

Look at what has happened this year at the City of Sydney, a council with a beautiful flag, when council bureaucrats reportedly confiscated the flag of the very talented Councillor Lyndon Gannon on the basis that the flag needed to be thrown down the memory hole. We remember Prime Minister Keating's obsessive attempts to denigrate and change our widely loved national flag. We need to move on from treating our symbols like a political football. The call from this side of the House is clear and unequivocal: Let us fortify the legal protections for our flag and ensure it remains a symbol of stability, unity and pride for generations to come. Do not make this an issue of partisan debate but a shared commitment to preserving a crucial part of our State heritage.

I urge this House to affirm its support for our honoured State flag. As we approach its 150th birthday, let us not look to division but to celebration. The motion today calls upon the Government to stand firm in its commitment to our flag. It is a call for assurance that the symbol that has stood by us in trials and triumphs will continue to fly high. It is a call to promote, not demote; to uplift, not unsettle. I stand here not just as a representative of the Opposition, but as a custodian of our collective heritage. I ask the Government will it honour

this legacy? Will it let the flag of New South Wales fly freely and proudly as we march toward its 150th year? I commend the motion to the House.

The Hon. MARK LATHAM (20:08): That was one of the most inspiring speeches that I have heard in my five years here. Listening to the Hon. Rachel Merton, I was enthralled and animated by the idea of a flag competition. Let the people decide what the New South Wales flag should look like. Not many people know what it looks like now, so they should have a vote. I know that the Hon. Anthony D'Adam will put forward the Palestinian flag as his choice. Then, of course, the great Hon. Jeremy Buckingham will present the cannabis leaf flag to the people of New South Wales. For the Hon. Penny Sharpe, what could it be other than the rainbow flag? The Hon. Greg Donnelly will have a flag with J. K. Rowling in the middle of it, defending her position on transgender rights.

Then, of course, we come to pretty boy, John Graham, Special Minister of State. The Hon. Rachel Merton spoke about whispers behind the scenes. I have heard the whisper that he is trying to get his own pretty face on a flag—a cult of personality as the left rises inside the Labor Party under his leadership. As I look around the Chamber further, I could speculate about other flags and insignia. The Hon. Cameron Murphy would submit the French flag. Liberty, Equality, Fraternity—of course, the fraternity of the Ferguson left inevitably denied in any political forum. I do not know what to make of this motion. I have never been a great one for flags and insignia, but let us have the competition. I open debate and bidding for the flags that could go forward in a plebiscite under the guidance of the Special Minister of State building his cult of personality. I know what I will be voting for, but it is a secret ballot.

The Hon. CAMERON MURPHY (20:10): I truly thank the Hon. Rachel Merton for moving this motion. It is utterly extraordinary to think that we would be debating a motion about the State flag. The Government supports the State flag. I do not think anyone has said otherwise. But if I have learnt anything about the honourable member over the past 12 months since we were both sworn into this House, it is that she is the one person that I suspect has a literal cavalcade of flags in her office—poles and poles of them. I do not know whether they are State flags or national flags, but it would be flags galore. While we, of course, support the State flag, I invite the honourable member to get loud and proud about that flag. I think we could put it to really good use. I would like to see the State flag draped all over Parliament.

We could put the State flag over the top of that offensive portrait right outside the front of the Chamber that claims it is about founding Australia. I would rather see the State flag there than that portrait. Likewise, there is a large painting of a dead queen near the post office. It might take three or four State flags but we should put them there as well. We should also put it over the top of the two portraits of other members of the royal family near the stairwell. I would much rather see our wonderful State flag in all of those places in Parliament. I invite the honourable member to support me in that. Let us get proud about the State flag. Let us have a flag-athon. We can hang them everywhere.

We can be proud about our State heritage by putting that flag in place of those other things that are less meaningful and less important to the people of New South Wales. Perhaps the honourable member could supply the flags for the purposes of doing that. What a wonderful motion! But, in all seriousness, it is ridiculous for the honourable member to suggest that people do not support the State flag. It is as ridiculous as she will find my suggestion of putting the flag over other things that she thinks are important. But that is what this is: just a ridiculous motion about an issue where there is no controversy and nobody cares. [*Time expired.*]

Ms ABIGAIL BOYD (20:13): I oppose the motion. The mover of this motion, the Hon. Rachel Merton, is calling on us to affirm our support for the flag of the colony of New South Wales. Seemingly without a shred of irony, the mover of the motion claims that the current flag has represented all people of New South Wales since 1876. That colonisers' flag has flown over this State, presiding over the forcible displacement of First Nations people from their lands, over Stolen Generations, over the White Australia Policy, over racial segregation and over the un-citizenship of First Nations people—and the member is claiming that symbol of British imperialism is inclusive! History is littered with flags that waved over oppression; we need have no pride in them.

Western imperialism and settler colonialism is a chauvinist ideology that reproduces itself as violence against oppressed groups. The history of flags is typically the history of war, conflict and militaries. The current flag of New South Wales is no different. Under the Colonial Naval Defence Act of 1865, it became lawful for any colony to provide and maintain its own vessels of war provided they flew the British Blue Ensign with a unique and easily distinguished colonial badge. It is from that colonial military history that the New South Wales flag emerged. It is always in that way that, across the world, nationalist myth-making projects coalesce around the elevation and reverence of their respective flags. That nationalistic myth-making is coupled with a drive towards, and valorisation of, militarism, and now more than ever we need to reject such a turn to fascism.

Rather than bend and scrape towards a coloniser's cloth, we should reject the parochialism of borders and broaden our horizons. Our struggles transcend the lines drawn on a map. It is an international struggle of the working class against an economic system that prioritises profit over people. It is a system that uses patriotism and parochialism as a tool to divide and distract from the true fight for equality and justice. I reject it totally. I have no pride in this flag; I have pride in my sense of community and of solidarity based on shared humanity. Those are the things that we should be supporting and championing, not manufactured and tattered symbols of the past.

The Hon. NATASHA MACLAREN-JONES (20:15): I support the motion moved by my colleague the Hon. Rachel Merton. The motion embodies the essence of preserving the rich tapestry of our heritage, encapsulated in the emblem that has waved proudly over New South Wales since 1876. The flag of New South Wales is not merely a piece of fabric bearing symbols; it is a beacon of our history, unity, democracy and resilience. For nearly a century and a half, it has stood as a testament of our great State's endurance of our values and the steadfastness of our collective spirit.

Moreover, our flag represents the diverse tapestry of our present-day society. It is a unifying symbol that transcends barriers of ethnicity, religion and ideology, weaving together the broad threads of our populace into the vibrant fabric of New South Wales. In a world rife with division and discord, the flag serves as a reminder of our shared values, heritage and democratic freedoms. In times of crisis and uncertainty, the flag of New South Wales serves as a symbol of hope and resilience. It reminds us that, despite our differences, we are stronger together than apart. It calls upon us to set aside our differences and work together towards a common purpose, recognising that our shared future depends on our ability to overcome adversity and forge a path together.

As custodians of our heritage, it is incumbent upon all of us to safeguard the symbols that embody our identity. Any attempt to alter or replace our flag would not only disrespect the sacrifices of those who came before us but also erode the very foundations upon which our State stands. It is a legacy entrusted upon us and we must honour that trust by preserving it for generations to come. To remove, replace or alter that emblem would be to dishonour the memory of those who fought and died for the ideals it represents. It would be a disgrace to the struggles of generations past and undermine the foundations upon which our State stands.

The flag is not merely a relic of the past; it is a living testament to the enduring spirit of New South Wales, a reminder of the values that bind us together as a community. Furthermore, it is imperative that we redouble our efforts to promote its significance and educate future generations about its history and its symbolism. This milestone represents an opportunity to celebrate that heritage and reinforce the bonds that unite us as citizens of New South Wales. In doing so, we will ensure that the flag of New South Wales continues to fly for another 150 years and beyond, serving as a beacon of hope and unity for our future generations. I encourage members to support the motion moved by the Hon. Rachel Merton.

The Hon. JEREMY BUCKINGHAM (20:18): I move:

That the question be amended by omitting in paragraph (3) all words after "the Government to" and inserting instead "add a mandageria fairfaxi on the flag of New South Wales."

I was blown away by this flag motion when I saw it, and I was blown away by the passion of the Hon. Rachel Merton for the flag, cloaking herself in that symbol that has flown above New South Wales for nearly 150 years that we all know so well. Flags need updating. What better way than to deepen the tradition of our flag by including mandageria fairfaxi, the State fossil. I am not talking about the Hon. Greg Donnelly or the Hon. Robert Borsak, although there are some similarities. I am talking about the 1.7-metre-long, large-jawed, heavily fanged fossil fish of New South Wales that was discovered in Canowindra in 1993. That is our State fossil.

What better way to deepen our history than to include on our flag a motif of the State fossil. It is a striking fish at 1.7 metres long, with huge jaws and massive fangs. That would certainly excite the attention of the community and it would deepen our heritage. This New South Wales fish lived 370 million years ago, so we are going back eons. What a great way to recognise our heritage and history by putting the State fossil on the flag. I hope all members recognise the opportunity that we have to update the State flag by including the State fossil, mandageria fairfaxi, so that as the flag flies it educates people about our deep and rich heritage. I commend the amendment to the House.

The Hon. CHRIS RATH (20:21): During COVID a poll asked people in New South Wales how they viewed themselves compared to people from other States. People in other States compare themselves a lot to us, but we do not really think about them at all. People in other States have a lot of pride in their State, but people in Sydney in particular view themselves as part of a global, outward-looking city. They do not identify with New South Wales in the same way that people from other States do. A little more pride in our State would be a good thing. Flying the New South Wales flag more often would be a good thing. Flags are not objects. They are not merely symbols or relics of history. Social reformer Henry Ward Beecher said:

A thoughtful mind, when it sees a Nation's flag, sees not the flag only, but the Nation itself.

Our State should be no exception to that. Some members have asked in this debate why the New South Wales flag needs to be displayed when the Australian flag encapsulates so much—

The Hon. Penny Sharpe: No-one has asked that.

The Hon. CHRIS RATH: The Hon. Rachel Merton put that rhetorical question. It is important to understand the history of Sydney Harbour Bridge. While I know New South Wales has a long history, we do not need to look further back than the construction of the bridge. The Federal Government at the time went to war with State Premier Jack Lang, who was deeply opposed to attempts by the Federal Government to seize the bank accounts of the New South Wales Treasury, which would have stymied the construction of the bridge. Jack Lang went so far as to withdraw Treasury funds in cash to prevent its seizure. When the bridge finally opened, it was undoubtedly a product of New South Wales and not of Australia.

Having a flag to represent New South Wales is not only important from a purely organisational perspective; it was also useful for nineteenth century mariners to identify colonial vessels. Further, it denotes our unique importance as a self-governing entity with our own ideas and opinions, which are often at odds with our Federal counterparts. Yesterday's Federal budget showed that we are often at odds with our Federal counterparts, regardless of what side of the House we sit on. But aside from its political importance, the flag is also symbolically important in a way that the Australian flag is not. The St George's Cross— *[Time expired.]*

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:24): In the great history of the New South Wales Legislative Council, this debate will no doubt receive great notoriety as being the fight we had about nothing. The New South Wales flag sits in the corner of the Chamber. Who can tell me what is on it? It has some sort of cross and some sort of lion. Clearly people have a really deep and abiding connection to it. I do not doubt the sincerity of the Hon. Rachel Merton in moving her motion, but there is no plan to change the flag. I remind members that this is our third State flag. We had a flag in 1867 and then we updated it in 1870. Members cannot even tell me what is on the flag in the Chamber.

The Hon. Chris Rath: The St George's Cross, the lion and the mariner's eight-pointed star.

The Hon. PENNY SHARPE: The Hon. Chris Rath is the only one who could tell me because he is the only one paying attention. I reckon half the members in the Chamber would not be able to tell us. There is no plan to change the flag. The Government is not going to oppose the motion. We are not going to support the amendments—nice try, but no. The point is that New South Wales has a flag, and there is a place in the Chamber for it to sit. Over time we have changed where the flag flies. I congratulate the previous Premier who, after a lot of discussion, decided to fly the Aboriginal flag on the Sydney Harbour Bridge. We have to remember that. It did not diminish the New South Wales flag; it enhanced the sense of inclusion for everyone in the New South Wales community.

While flags are important, I do not know who the Hon. Rachel Merton is listening to because there are no plans to change the flag or the way in which we use it. We accept that there is a New South Wales flag and are very relaxed about the fact that it exists. Some of us love it more than others. Some of us do not love the Union Jack all that much. But there are no plans to change the flag. I can assure the Hon. Rachel Merton that the New South Wales flag is safe from change.

The Hon. Rachel Merton: That is what we are here for.

The Hon. PENNY SHARPE: I am so pleased the member said that. The flag is safe. Of all the matters that we choose to spend time debating. Luckily only five minutes remain for debate on the matter.

The Hon. ANTHONY D'ADAM (20:27): Is this the matter that will get me to cross the floor? I think it might be! Ms Abigail Boyd suggested that the Hon. Rachel Merton made her contribution without any sense of irony, but I thought it was with tongue in cheek the whole time. Quite frankly, I blame social media for this debate, which reflects the deplorable state of public discourse in this State. I regret that the Hon. John Ruddick is not here. The Hon. Chris Rath came close, but his time expired. Given the GST situation I am sure the Hon. John Ruddick would support a secessionist movement. Of course, if we secede we are going to need a State flag, but that would be the only time it would have any relevance to anything that is happening in contemporary society. It is a vestige of a bygone era; it serves no useful purpose. I do not think we should spend any more time debating this ludicrous motion.

The Hon. SUSAN CARTER (20:29): In some ways this has been a lighthearted debate, but it is about a very important issue: who we are as the people of New South Wales. Yes, we are proudly Australians and we identify under the Australian flag. It is probably not all that important to most of us a lot of the time, except at

great sporting events. We all love the Australian flag at the Olympics and we are so proud to see it go into the stadium.

The Hon. Penny Sharpe: The State of Origin flag.

The Hon. SUSAN CARTER: That is exactly right. We love being in New South Wales when it is State of Origin of time. At the times in the cycle of our lives when we say, "I am proud to be in New South Wales", we look to the symbols of New South Wales.

The Hon. Jeremy Buckingham: The fossil?

The Hon. SUSAN CARTER: We look to the State fossil. Individual symbols are important, so we do not want to put all the symbols together. We do not want the blue groper, the State fossil, the platypus, the kookaburra and the opal all together as one blancmange because we want that important identity as people of New South Wales. We have a very relaxed attitude to symbols in Australia. We are not Americans; we do not wrap ourselves in flags, which I think is a good thing. But there are times when those symbols are important.

The flag of New South Wales is actually the opposite of the symbol of colonial oppression. In fact, it is the symbol of our separation from the colonising power. It is an indication of how we grew in independence and moved away from the colonisers. If we still had the original colonial flag, it would just be the Union Jack. We would not have said, "No, we want to recognise our heritage but we want to recognise who we are as a growing, prosperous, independent New South Wales, which, actually, existed before Australia did." Every time we see the New South Wales flag, we recognise our unique heritage and the leading role New South Wales played in the creation of the country of Australia. We recognise that the "Father of Federation" came from New South Wales.

To suggest that our flag is no longer relevant is to say that our State is no longer relevant. It is to say that our separate identity as the people of New South Wales is no longer relevant, which is rather to say that this Parliament is no longer relevant. I think that is a very big call. I am delighted with the assurances members have received tonight that the majority of this Parliament supports the New South Wales flag. The people of New South Wales, especially at the next State of Origin, will be delighted to know that.

The Hon. RACHEL MERTON (20:32): In reply: I thank all honourable members who participated in this debate, including the Hon. Mark Latham, the Hon. Cameron Murphy, Ms Abigail Boyd, the Hon. Natasha Maclaren-Jones, Mr Jeremy Buckingham, the Hon. Chris Rath, the Hon. Penny Sharpe—

The Hon. Jeremy Buckingham: It is the Hon. Jeremy Buckingham.

The Hon. RACHEL MERTON: Thank you, the Hon. Jeremy Buckingham. I also thank the Hon. Anthony D'Adam and the Hon. Susan Carter for their contributions. I am loving the passion, the energy, the commitment and the vibrancy shown in this debate. I know it is getting late. This motion reaffirms support for the State flag. Members are ruling out any changes. We are going to stand by the flag. It means a lot to New South Wales.

At the national level, the importance of the flag was recognised over a quarter of a century ago when the Federal Government introduced the Flags Amendment Bill 1996 to make changing the flag much more difficult. Tonight members reaffirm our commitment to the New South Wales flag. This motion simply asks members to affirm their support for our State flag and to promote the State flag. It calls upon the Government to rule out any future changes to the flag. It is not controversial, which members from all sides of the House have recognised tonight. The motion is purely common sense. There is more that we can do. I believe more State flags should be made available to the community. More flags need to be flown. I thank members for their recommendations during the debate.

Members recognised that State of Origin is coming up. Viewers of that game will see the Queensland flag, featuring the Maltese cross, proudly displayed on the arm of the Maroons jersey. I say to Dave Trodden at New South Wales Rugby League that the New South Wales flag should have a similar place of respect on our beautiful sky-blue jumper. This motion sought reassurance that members do not support any alterations to the flag. The amendment of the Hon. Jeremy Buckingham will not be supported. I commend the motion as it stands to the House.

The PRESIDENT: The Hon. Rachel Merton has moved a motion, to which the Hon. Jeremy Buckingham has moved an amendment. The question is that the amendment be agreed to.

Amendment negated.

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

Motion agreed to.**MS ABIGAIL BOYD, MLC****Censure****The Hon. MARK LATHAM (20:36):** I move:

- (1) That this House notes that:
 - (a) The Greens require their members of Parliament to account to their party conferences on how they have spent their electoral allowance, and these documents show that Ms Abigail Boyd, MLC, claimed \$34,675.54 in electoral allowance expenses for legal costs, starting with her very first report in the June quarter of 2019, straight after her election to the Legislative Council;
 - (b) this corresponded with the way in which Ms Abigail Boyd's lawyers were joined to a court case on 1 March 2019 challenging The Greens' upper House preselection for the 2019 New South Wales election, the judgement for which by the New South Wales Supreme Court, Equity Division, on 6 March 2019 said that the preselection could not be overturned due to the close proximity to the State election 17 days later;
 - (c) in relation to the costs associated with the case:
 - (i) in the costs determination for *Johnston v The Greens* (2019), Ms Abigail Boyd's costs were the same quantum as the amount of electoral allowance expenses reported to The Greens;
 - (ii) in reports to The Greens, both Ms Abigail Boyd and Mr David Shoebridge, MLC, claimed identical amounts of legal costs as electoral allowance expenses in 2021—that is, \$4,596; and
 - (iii) both Ms Abigail Boyd and Mr David Shoebridge were respondents to Mr Johnston's appeal against the original judgement and they used the same solicitor—again indicating they were claiming electoral allowance expenses off the same court case.
 - (d) the two complainants, who were members of The Greens at the time, Messrs Harris and Johnston, referred the misuse of electoral allowance to the Independent Commission Against Corruption, which wrote back to them on 2 June 2023, stating, "We consider that the concern you have raised may be of interest to the Department of Parliamentary Services [DPS]. We have therefore referred your matter to the DPS and they may take whatever action they think appropriate."
- (2) That this House further notes that:
 - (a) in answer to supplementary questions for the Portfolio Committee No. 1 - Premier and Finance Budget Estimates 2023-2024 the Legislature hearing of Monday 4 March 2024 it was stated that, "Neither the Clerk of the Parliaments or the Chief Executive of the Department of Parliamentary Services have been authorised to conduct investigations into members' use of their entitlements";
 - (b) the Clerk wrote to Ms Abigail Boyd, who did not respond with invoices and accounts showing her innocence but instead with copies of court judgements about costs and the longstanding legal principle that you cannot profit on costs;
 - (c) during debate in the House on a matter of public importance [MPI] on Thursday 21 March 2024, Ms Abigail Boyd made a lengthy speech but did not deny the misuse of electoral allowance;
 - (d) in the MPI debate, Ms Abigail Boyd cited ATO Tax Ruling 1999/10 and the role of her "very, very clever tax accountant" but this ruling at clauses 212-221 makes no provision for claiming electoral allowances on legal costs for a party preselection dispute; and
 - (e) if Ms Abigail Boyd had nothing to hide in this matter she would fulfil her repeated promise to Portfolio Committee No. 1 - Premier and Finance to produce the financial documents showing that her declared use of electoral allowance has been within the parliamentary rules.
- (3) That this House censures Ms Abigail Boyd, MLC, for:
 - (a) the misuse of her electoral allowance in claiming expenses for:
 - (i) legal costs before she was a member of the Legislative Council;
 - (ii) an internal party dispute of The Greens, outside the definition of electoral allowance for "the efficient performance of a member's parliamentary duties"; and
 - (b) giving a commitment four times at the Portfolio Committee No. 1 - Premier and Finance budget estimates 2023-2024 the Legislature hearing to produce financial accounts, invoices and statements on this matter, but then consistently breaking this promise through untrue and misleading statements to the Hon. Mark Latham, MLC, to the Chair of Portfolio Committee No. 1 - Premier and Finance, the Hon. Jeremy Buckingham, MLC, and to Portfolio Committee No. 1 - Premier and Finance itself, to the point of denying the commitments were ever made, even though they are recorded in *Hansard*.

This is a detailed motion, mainly through the work of two Greens members who have proven conclusively that Ms Abigail Boyd has rorted her electoral allowance. The documents, the argument and the detail presented in the motion set out the case persuasively. But Ms Abigail Boyd herself has one easy defence. It is not something I have come up with myself. It is not original. Simply, it is the promise she made four times to Portfolio Committee No. 1 – Premier and Finance at The Legislature estimates hearing to produce the invoices that show how the \$35,000

she reported in legal costs to The Greens was a legitimate use of electoral allowance—that is, spent in the efficient performance of a member's parliamentary duties, the requirement binding on all members.

Importantly, she promised to produce the financial statement showing that her first report to The Greens for legal costs—some \$11,477 in the June quarter of 2019—was not incurred before her election to the Legislative Council on 23 March in that year. Clearly, you cannot claim electoral allowance for expenses incurred before you were even a member of Parliament. Ms Abigail Boyd needs to show how in April, May and June of 2019 she incurred, as part of her parliamentary duties, some \$11,500 in legal costs claimable as electoral allowance. Otherwise, this House is entitled to conclude she rorted the system and avoided a proper income tax payment.

Of course, The Greens talk a lot about integrity. As one honourable member said to me earlier in the week, "They love integrity and transparency, except when it applies to them." Everything has been done behind the scenes—the bullying tactics, the intimidation, the threats and so forth—to try to and get the numbers on this matter. It will not change the facts of what has gone on here. It should be easy for a member of a party of integrity to clear this matter up straightaway. Instead, Ms Abigail Boyd has done everything to avoid the truth and her promises to the Legislative Council.

At The Legislature estimates hearing she said the report to The Greens was for future cases. Then she denied saying this, even though it is recorded in *Hansard*. For Ms Abigail Boyd Hansard is very a pesky, annoying institution because it actually records what one said at those meetings. It is impossible, of course, for expenses reported in June 2019 to be for future legal cases. All the evidence points to the newly elected Ms Abigail Boyd using her electoral allowance to cover expenses incurred before she was elected and sworn in as a member of Parliament.

She has had five or six opportunities to produce the documents. For example, the Clerk wrote to her. It could have been cleared up at that point last year when the complaint came via ICAC to produce the invoices and the transactions that show there had been a legitimate legal expense that could be racked up as an electoral allowance. This has not happened. Repeated attempts to have Ms Abigail Boyd fulfil her promise—not my promise but her promise, four times at the budget estimates hearing—to produce this material have failed each and every time.

I had to write to the chair of the committee, the Hon. Jeremy Buckingham, on 19 March pointing out that I wrote to the Clerk suggesting a type of Standing Order 52 process for inspection of these documents. The Clerk informed me that Ms Abigail Boyd rejected that and was taking legal advice about disclosure of the documents. Then the Hon. Jeremy Buckingham told me, following discussions with Ms Abigail Boyd, that she would produce the documents directly to me. I emailed Ms Abigail Boyd about this to which she replied on 16 March, "Please encourage Mr Latham to come and speak to me about it when I'm in Parliament." I did that.

I did exactly what she wanted me to do and she said she had not made the promise at all. Again, that pesky, annoying institution of Hansard records what you say in Parliament, in this forum and at committee meetings. It is a very serious matter for an MP under oath to promise one thing to a committee of the House, have it recorded four times in *Hansard*, and then not only refuse to comply but actually deny that the promise had been made. That amounts to a misleading of the committee on an important matter of financial impropriety. What was said about the chair of the committee was misleading. It is effectively a misleading of the House. Ms Abigail Boyd, in her defence, will undoubtedly say this is all misogyny. I assure her that when I look at her, I do not see a woman; I see a Greens rorter. Her obsession with identity politics—

Ms Abigail Boyd: Point of order—

The Hon. MARK LATHAM: —and to say it is all misogyny—

The PRESIDENT: A point of order has been taken.

The Hon. MARK LATHAM: —is way out of place—

The PRESIDENT: Order!

The Hon. MARK LATHAM: —with how we look at identity.

The PRESIDENT: Order! A point of order has been taken. The Clerk will stop the clock.

Ms Abigail Boyd: My point of order is quite obvious. Under the standing orders, it is not appropriate for members to use offensive or insulting remarks towards another member. I am not sure if the President heard the remarks as there was some discussion with the Clerk at the time, but the language from the Hon. Mark Latham was quite clearly inappropriate and offensive.

The PRESIDENT: I did not hear the remarks. I note the Hon. Mark Latham was speaking appropriately for the first 4½ minutes. If that did not happen in the 10 seconds that I was speaking to the Clerk, I ask him to be appropriate in this debate, as I would ask all members. This is a very unusual occasion. I believe it is only the second time that a censure motion has been moved against a private member. I made my views about that clear this morning, and I ask all members to treat the motion with the seriousness that it deserves. Does the Leader of the Government wish to take a point of order or respond to the current point of order in any way?

The Hon. Penny Sharpe: No, I will leave it.

The PRESIDENT: The Hon. Mark Latham has the call.

The Hon. MARK LATHAM: There were other excuses trying to rewrite the record that Ms Abigail Boyd has presented in her letter to Portfolio Committee No. 1. One of them is that members of Parliament should not be taken seriously when they interject and make throwaway comments. What about the lumberjack fetish and all the hysteria that came out of that? It is one rule for The Greens and Ms Abigail Boyd, but everyone else is supposed to live under a different regime. That is narcissism at its worst.

Ms ABIGAIL BOYD (20:42): On behalf of The Greens, I obviously oppose the motion. I direct members to the *New South Wales Legislative Council Practice* in relation to censure motions made against a member who is not a Minister. That happened once to my colleague, now Senator, David Shoebridge. I would love to be associated with Senator Shoebridge in many respects. I did not agree with that censure and this one is equally pointless as a Minister is not involved. I do not know how many times I need to repeat the same information in this House, so I shall not try to do that in this debate.

I have made it incredibly clear that I have been subjected to multiple court cases and that has resulted in multiple sets of legal fees, which have been quite significant. However, despite that, we continue to have this misinformation put out, and now it is in a motion. We had a 90-minute discussion on a matter of public importance on this issue previously. I have laid out all of the information over and over. I do not know how else to get it through to the member, including the point about how The Greens use the electoral allowance and the different rules for that. But that is fine; the member has brought this motion with all of this misinformation in it once again.

On the comments that a member in a committee should be treated as though they are a witness under oath—and the honourable member used the term "under oath", which I think is quite telling—members of a committee are not under oath in relation to evidence they are giving at a budget estimates hearing. We have discussed that before. That is something for the witnesses. All of that is set out very clearly in the letter I sent to the Chair of Portfolio Committee No. 1 regarding comments made during a budget estimates 2023-2024 hearing on 4 March 2024. I encourage people to read that. I seek leave to table that document.

Leave granted.

Document tabled.

Ms ABIGAIL BOYD: As I mentioned in the letter, it is really dangerous that a member in this place can point to another member, who is, again, not a Minister, and say, "I want to see your bank statements because I have decided on a bunch of facts that I now need you to disprove or I will continue to raise them in a public setting in Parliament." I know that the use of the electoral allowance as opposed to entitlements is something that most members in this place do not disclose. Investigating the tax analysis of everyone's electoral allowances sets a really bad precedent.

The Hon. ROBERT BORSAK (20:45): I do not intend to go over the facts; I think the Hon. Mark Latham has covered that very well. Having sat in this place each sitting day listening time and again to the pontifications from The Greens, particularly Ms Abigail Boyd, who not only loves the sound of her own voice but now also wants to control the very language of members in this place, we must address the importance of a man's, or indeed a woman's, word in this place. I was at the hearing on 4 March and I draw attention to the actions of Ms Abigail Boyd, whose evasion and refusal to uphold her commitments have shone a light on her and The Greens' integrity and her character. Ms Abigail Boyd's attempt to shirk responsibility by dissecting semantics and dissembling is not only disingenuous but also disrespectful to the very institution she claims to serve. While she may argue that her interjections during the hearings were not binding promises, her repeated assertions to the Hon. Mark Latham were unequivocal. She said:

I'm happy for you to look at my accounts.

...

You can look at all of my accounts.

...

You can look at every bank account.

Those are not mere interjections; they are explicit invitations conveying a clear willingness to provide documentation. She was virtue signalling, as she always does. She demonstrated a level of hubris that would be embarrassing for many other members in this place. I struggle to think of another member, even in The Greens, who would equal her in the arrogance of that display. She may not realise—

Ms Abigail Boyd: Point of order: Again, this is just like the discussion on the matter of public importance. The debate on this motion is being used as a general forum for attack and the member is not addressing the substance of the motion. I ask that the member be called to order.

The PRESIDENT: I understand this is a challenging issue because we have constantly maintained that these sorts of issues regarding members should not be addressed except by way of substantive motion. This is a substantive motion, and therefore there is inevitably going to be an issue to be addressed. I think the Hon. Robert Borsak is beginning to stray over the line in terms of pejorative language. I ask him to pull back from that and address the issues as he sees them.

The Hon. ROBERT BORSAK: Furthermore, Ms Abigail Boyd's assertion that interjections hold no weight in a committee hearing is a convenient distortion of parliamentary protocol. In our democracy, every word uttered by a member, whether in formal proceedings or informal exchanges, carries weight and consequence. To suggest otherwise is to undermine the very foundation of our legislative process. Ms Abigail Boyd's refusal to fulfil her commitments under the guise of procedural technicalities is not only a betrayal of trust but also a blatant disregard for the principles of transparency and accountability. She continued her futile attempts at evasion yesterday after the trite and arrogant Sue-splaining by her fellow so-called legal Greens member. Her ongoing attempts to deflect scrutiny by questioning the legitimacy of the Hon. Mark Latham's inquiries only serves to further erode public confidence in our elected representatives. [*Time expired.*]

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) (20:48): The Government does not support the motion. The honourable member is entitled to bring the motion before the House. I agree with the observation made by the President. It is the entitlement of any member to bring a substantive motion in this way before the House. It is important that matters of integrity are brought to the House. It is important that issues like this one are ventilated if members have concerns. The reason the Government does not support the motion is that it fails the test of whether it is wise to do so.

There are a couple of reasons for that. On the issues being raised and the governance of them, given these matters relate to the electoral allowance, they are governed largely by the Parliamentary Remuneration Tribunal and its rulings. The Australian Taxation Office has also laid out an extensive tax ruling relating to members' entitlements. The interaction of those two issues creates the framework that we are dealing with.

Obviously, the Australian Taxation Office has significant audit powers of which all members are aware and any member should be very hesitant to fall foul of them. That should give members of the House and also the public confidence that these are not just matters for members. Like every Australian taxpayer, a member of Parliament must make sure they adhere to those tax office rules and this specific tax office ruling. That is the framework here. On the basis of that framework the Government says there is simply not the evidence in front of us today to justify a censure motion. Secondly, I refer to the point that has already been raised earlier today by the President and in debate. This censure motion is against a member and not a Minister, which is unusual.

If members look at the Legislative Council Practice manual they will see nearly all of the motions have been clashes between this Parliament and the Executive. That key tool has been used to hold the Executive to account, sometimes successfully. The Government says it should not be used lightly. It might be unusual for a Government Minister to say that censure motions should be moved against Ministers and not members, but that is a practice that has served us well over time. I do not agree that it is a pointless motion. There may be a time when a member is censured by the House. There was a censure motion on 16 June 2020. But it should be a very high threshold for members to censure each other. For those reasons the Government does not support the motion.

The Hon. EMMA HURST (20:51): On behalf of the Animal Justice Party I strongly oppose this motion. There is no basis to censure Ms Abigail Boyd. I have serious concerns about the way the Hon. Mark Latham continues to target Ms Abigail Boyd. This matter has now been raised in budget estimates, it has been debated as a matter of public importance, it has been referred unsuccessfully to ICAC and now it is before the House in this censure motion, despite the fact that the Clerk has reviewed the allegations about Ms Abigail Boyd.

Ms Sue Higginson: Point of order: I cannot hear the Hon. Emma Hurst because of the noise that is coming from this side of the Chamber. I am trying very hard to hear the Hon. Emma Hurst.

The PRESIDENT: I appreciate the point of order. I do not think the interjections were particularly loud; it was a relatively quiet conversation. I take the point of order. This is obviously a serious motion, so I ask all members to restrain themselves during the debate.

The Hon. EMMA HURST: This is despite the fact that the Clerk has reviewed the allegations and found, "There was no evidence of any breach of the rules for the use of entitlements." I am sure all members can agree that Mr Blunt is someone who knows the rules and obligations of this place, takes them seriously and can be trusted in his conclusions. Censuring any member in this place is a serious matter, particularly when we are talking about a member of the crossbench, who is in a very different position to members of the Government, and particularly Ministers.

It is impossible to ignore the dynamics of the member's decision to target Ms Abigail Boyd in this way, particularly given ongoing concern about the treatment of women in Parliament and the findings of the Broderick review. I also have concerns about how much parliamentary time, which is already limited, has been spent on this issue and these allegations that have been proven to be baseless and untrue on each occasion. I call on the member moving the motion to stop wasting everyone's time and I encourage him to find something useful to do. Ms Abigail Boyd has my full support. I call on all members to join me in opposing the censure motion.

The Hon. TAYLOR MARTIN (20:53): I cannot support this motion. In a nutshell, this is a matter for the Australian Taxation Office [ATO]. This House is a deliberative body—a very effective deliberative body no less—with exceptional powers, procedures and processes. However, it is not an investigative body. I hope no-one will mistake my view on this motion as me somehow having some sort of epiphany or backflip or turn to the left after recent events. Regarding this matter, I am sure we would all prefer to see a just and legally correct outcome. I fear that this politically charged motion will deliver a politically charged outcome. Having been through a bit of a kangaroo court process in recent times, I am sorry but I cannot stand by and watch similar tactics used on another member without speaking up. In the motion of the Hon. Mark Latham paragraph (2) (d) refers to the ATO ruling 1999/10 and even more specifically refers to clauses 212-221. Those paragraphs are not an exhaustive list and I contend that within those paragraphs some of the examples support Ms Abigail Boyd's case. Clause 212 specifically says:

A deduction is allowable for legal expenses incurred by a Member in defending the day-to-day activities through which he or she gains or produces assessable income ...

Clause 213 cites case V116 88 ATC 737 from 1988 regarding the deductibility of a person's expenses defending a legal case in the course of their employment. Furthermore, there is more information available from a 1986 tax ruling, IT 2258, which specifically refers to New South Wales electoral funding and electoral expenditure. I quote from paragraph 21:

For income tax purposes the new candidate may be entitled to a deduction for electoral expenditure incurred prior to 12 months before the nomination date ...

The principle was established in 1982 in the case of *Commissioner of Taxation v Wilcox*, and this is critical to this discussion because it resolved that expenses incurred by a taxpayer could be deducted from the preselection onwards. This overturned a previously held view that the issuing of the writs was the critical date for this expenditure and the deductibility for tax purposes. From this case onwards the preselection or the endorsement was the key date, with all judges hearing that case in the Federal Court agreeing that the phrase "in contesting an election" could refer to events before any campaign period, being previously the issuing of the writs.

To me, part of being a conservative is that we respect and protect our institutions. This institution, our nation's first Parliament—over 200 years old now—should not be used for these ends, namely personal vendettas. There are leading institutions that rightfully should look into any such matter, in this case the ATO. I note that other members have mentioned Mr David Blunt and the ICAC as also having knocked back this member's attempts to investigate this issue.

The Hon. DAMIEN TUDEHOPE (20:57): The Opposition does not support this motion. I accept the point, which is the subject matter of the motion, which has given rise to considerable angst. The Hon. Mark Latham, who moved the motion, said that the word of someone in this place is fundamental to the integrity of the House. However, my concern about the motion is the same as that expressed this morning by the President—moving motions against individuals who are not Ministers. I was the Minister who moved a motion in 2020 against Senator David Shoebridge, as he now is. I recall at the time there was considerable anxiety about doing that, notwithstanding the fact that there was bipartisan support for the motion because it involved the disfigurement of a statue. But I digress.

The motion is predicated on two events. In paragraph (3) the mover of the motion asks us to censure the member for "the misuse of her electoral allowance" by doing two things that are set out in the motion. Paragraph (3) asks us to accept the validity of that. In line with what the Hon. Taylor Martin eloquently said about

what the law is, I suggest that the trigger for that censure would be a finding by the tax office of potential rorting. That should be the trigger for censure relating to misuse of an electoral allowance, or alternatively the Electoral Commission.

The second is a commitment given to Portfolio Committee No. 1. I note that Portfolio Committee No. 1 is due to report on 28 June 2024 in relation to its deliberations. If that committee made a finding that the member made commitments which she did not honour, that would be a trigger potentially for this censure. But to bring the motion in this manner, without the committee having made a finding in relation to the things which are complained of, the trigger has not been met.

The PRESIDENT: I want to make it clear to members that I will always call members of parties who have not spoken before I return to members of parties who have spoken.

The Hon. JEREMY BUCKINGHAM (21:00): I contribute to the debate in my capacity, in some part, as the chair of Portfolio Committee No. 1. I want to place on record what has happened in terms of that portfolio committee and what my role and that of the committee has been. The events ensued during a budget estimates hearing for The Legislature. They were somewhat unedifying. Subsequent to those exchanges between Ms Abigail Boyd and the Hon. Mark Latham, on 19 March the Hon. Mark Latham wrote to me, as chair of the committee, and said:

I ask PC1 to consider the matter—

which is the exchange between the Hon. Mark Latham and Ms Abigail Boyd where he said he was pursuing some documents and Ms Abigail Boyd responded—

and take action to hold Ms Boyd to her repeated promise.

I spoke to Ms Abigail Boyd in the Chamber, I think the next day, and she said to me, "I'm happy to provide the documents. He can come to my office and see them on my computer", or words to that effect. I did diarise it. I got some advice from the Clerks. They drafted a letter on my behalf from Portfolio Committee No. 1, which was approved on 21 March and sent on 21 March. It said:

Mr Latham has recently written to me noting his attempts to receive and view these documents. His letter requests that the committee take action to pursue this matter (Mr Latham's letter attached).

This is the key part:

Could you please clarify whether you intend to provide these documents to the committee ...

The committee did not ask for the documents. I, as chair, did not seek the documents from Ms Abigail Boyd. We simply sought a response from her. Subsequent to that, Ms Abigail Boyd wrote to me and said quite a few things, but the thing that was most pertinent to me was that she quoted the letter from Portfolio Committee No. 1 and said:

Without endorsing the statement made in the email in relation to what I may or may not have said privately to you ...

That was, to me, an imputation, because it referred to a conversation that I had with Ms Abigail Boyd in the Chamber, that I was lying and that she had not said those things. It was a reference to the previous conversation, and I did take some umbrage at that. It did cause me some concern.

I seek an extension of one minute.

Leave not granted.

The Hon. MARK BANASIAK (21:03): I am not going to go through my whole speech, but I think we should reflect on what happens in committees when the chairs give their opening speech and remind Ministers of the oath they have previously taken in taking their office and taking their position in this place or the other place. I submit that the words we utter as chairs, when we speak about the importance of that oath, also apply to members of committees. Whatever they say—whether it be by interjection, comment, in deliberations—reflects on them, reflects on the House and reflects on this institution.

I suggest that, if the censure motion is to pass, we should still reflect on the oath we all take when we decide to utter little quips or give undertakings, whether they are genuine or not, and maybe we should be mindful of that oath if we are not going to adhere to undertakings that we give in committees or in the House. We should take the oath seriously and we should stand by the comments that we make. I am not going to make any judgements on tax rulings or anything like that. I submit that it is more than just a question of whether someone misused their electoral allowance. It is about the principle of what you say in this place, whether you stand by it and whether you are to stand up to scrutiny on it. Clearly, Ms Abigail Boyd is not prepared to stand up to that, even though she gave an undertaking. Whether it was in jest, whether it was just to fob the Hon. Mark Latham off, I submit she did give an undertaking under oath.

The Hon. STEPHEN LAWRENCE (21:06): I was thinking about saying that this was the biggest waste of time that I have seen in the House since I arrived—but then we had the flags debate, so I am not quite sure. It is, I think, certainly a mean, tricky and misconceived motion. I think the personal observations made in the debate reveal the true intent behind it, and I do want to call that out. In terms of the substantive issues, I think the Hon. Taylor Martin has done us all a service. If one looks at the tribunal ruling that contains the words about the electoral allowance being for the efficient discharge of a parliamentarian's duty, it is quite clear from that decision that it is not a definition of all the purposes of an electoral allowance—in fact, the tribunal decision talks about how "all the purposes" has never been defined in tribunal decisions or some other like instrument in New South Wales and refers to the taxman. I would have thought that, quite clearly, this is a matter between the Australian Taxation Office and Ms Abigail Boyd.

What the Hon. Taylor Martin has told us shows that not only is there not some proven case of impropriety, but quite clearly there is no impropriety. I think what this really shows is that, if you cross the Hon. Mark Latham, he comes after you, and you had better cross your Ts and dot your Is in that situation. I think Ms Abigail Boyd has done that quite clearly. This is misconceived. The person being censured probably should be the Hon. Mark Latham for bringing such a flawed motion. [*Time expired.*]

The Hon. MARK LATHAM (21:08): In reply: In terms of the last comment, this was brought to me by two members of The Greens party—constituents.

The Hon. Stephen Lawrence: You should have done your research.

The Hon. MARK LATHAM: I have done my research, and you should listen to what it shows. I knew nothing of this matter until they brought it to me. I am representing them in this place, which is my job, and I will continue to discharge that. I will tell the House one thing: I will not be using the Hon. Taylor Martin as a tax accountant when he finishes here in three years' time because, amazingly, he has overlooked the key clause at paragraph 216, which states:

A deduction is not allowable where a Member incurs legal expenses to protect his or her personal reputation, and perhaps, his or her seat in Parliament.

That was the nature of a legal case that was brought to the Supreme Court in a preselection challenge about The Greens. When they rubbed out Buckingham, there was a challenge to say that Ms Abigail Boyd should not be number two on the ticket; she should not have a seat in Parliament. It is clearly covered by paragraph 216. There is no doubt here what the Tax Office has said. I am afraid Accountant Martin will need a different occupation when he finishes up at the next election. He is plain wrong and, amazingly, has overlooked the key paragraph 216, which is relevant to this matter. In terms of standards, the argument that members of Parliament have a lesser standard of truth and honesty than members of the Executive is ridiculous. Members say the censure motion is so terrible, but let me tell them one thing that the Labor Party did to one of its own in the last Parliament: It effectively suspended Shaoquett Moselmane from the service of the House.

The Hon. Taylor Martin: Point of order—

The Hon. MARK LATHAM: It suspended him from Parliament, effectively the service of the House, for something he did not do.

The PRESIDENT: The Clerk will stop the clock. A point of order has been taken.

The Hon. Taylor Martin: I was happy to get up earlier and give my remarks. If the member wants to mislead Parliament and misrepresent paragraph 216 of the tax ruling, I am happy to debate that. Paragraph 216 states:

A deduction is not allowable where a Member incurs legal expenses to protect his or her personal reputation, and perhaps, his or her seat in Parliament. This is because the losses or outgoings are not incurred in respect of the Member's work-related activities, but are of a capital, private or domestic nature.

So I will sit here and listen to the substance of the matter, but I am not going to be led down—

The Hon. MARK LATHAM: That is what it says, mate.

The Hon. Taylor Martin: I know. I just quoted from it. Do you want me to quote again? Don't mislead the House.

The PRESIDENT: Order! That is, in fact, a debating point. There is no point of order. The Hon. Mark Latham has the call.

The Hon. MARK LATHAM: If the Hon. Taylor Martin wants to read things out, it clearly says the "deduction is not allowable" when members are fighting for their seat in Parliament. It is there in black and white. These things are like a parallel universe. Ms Abigail Boyd, in that parallel universe, says that I am demanding the

documents from her, but she offered them up at Portfolio Committee No. 1, and I was as surprised as anyone that she interjected, intervened and offered up four times that she would provide these documents. I have only attempted to hold her to her word. The Hon. Robert Borsak read out two of the accounts. Another one is:

The Hon. MARK LATHAM: Are those attachments the relevant bills that coincide with these electoral allowances expenditures claim?

Ms ABIGAIL BOYD: I'm happy to give them to you, Mr Latham. They're not a secret.

They have stayed a secret ever since, in defiance of what she said.

The Hon. Stephen Lawrence: So what?

The Hon. MARK LATHAM: If you believe in the dishonesty of someone rorting their electoral allowance, you should not be here. You should cop what they did to Moselmane.

The PRESIDENT: The Hon. Stephen Lawrence will cease interjecting.

The Hon. MARK LATHAM: Rorting the electoral allowance, mister, is a bad thing to do and no parliamentarian should defend that impropriety. Then Ms Abigail Boyd said:

I have said that I will give all of my information to Mr Latham ... He wants to see all my bank accounts and all of my bills. I'm very happy to give it to him, if that makes him happy.

It would make everyone happy. If she has nothing to hide, she should produce the material that she promised to the committee. The tax office ruling is against her. Clearly, members cannot be claiming electoral allowance for expenses incurred before they are a member of Parliament. The member should be censured.

Ms Sue Higginson: Time!

The Hon. Stephen Lawrence: Time!

The PRESIDENT: I will make this point about members saying "time". I have made it clear on a number of occasions that I will allow the member to finish their sentence, so saying "time" does not help anything.

The question is that the motion be agreed to.

The House divided.

Ayes5
Noes29
Majority.....24

AYES

Banasiak
Borsak

Latham (teller)
Mihailuk

Roberts (teller)

NOES

Boyd
Buttigieg
Carter
Cohn
D'Adam
Donnelly
Faehrmann
Graham
Higginson
Houssos

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

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

Motion negatived.

Committees

JOINT SELECT COMMITTEE ON ARTS AND MUSIC EDUCATION AND TRAINING IN NEW SOUTH WALES

Establishment and Membership

The Hon. EMILY SUVAAL (21:20): I move:

- (1) That a joint select committee be established to inquire into and report on arts and music education and training in New South Wales, and in particular:
 - (a) the quality and effectiveness of arts and creative industries education, including:
 - (i) progress towards a long-term goal of quality arts and creative industries education;
 - (ii) the present level and status of formal arts and creative industries education across all levels, including primary, secondary and tertiary levels;
 - (iii) robust and evidence-based arts and creative industries education in initial teacher education courses in the tertiary sector;
 - (iv) the role of arts organisations and creative professionals in education and the development of creative skills across the arts;
 - (v) the contribution of the national performing arts training organisations in New South Wales and the adequacy of the support they receive;
 - (vi) the efficacy of the current primary and secondary school curriculum in delivering learning outcomes in arts and creative industry-related subjects;
 - (vii) the availability of support for teachers and principals in delivering quality arts education, and ensuring that an inclusive approach is taken towards resource allocation for regional schools across New South Wales;
 - (viii) the most effective approach for the arts, culture and creative industries to coordinate with the education system to support the development of creative skills;
 - (ix) ways that students can learn entrepreneurial skills and gain industry experience to ensure they are job ready;
 - (x) measures of success in arts education;
 - (xi) factors influencing student decisions to pursue further arts education, including but not limited to course choice, course location and the method of study; and
 - (xii) notable approaches to arts and creative industries education in other jurisdictions.
 - (b) the quality and effectiveness of music education and training, including:
 - (i) progress towards a long-term goal of quality music education, including actions to address identified barriers;
 - (ii) the present level and status of formal music education across all levels, including primary, secondary and tertiary levels;
 - (iii) robust and evidence-based music education in initial teacher education courses in the tertiary sector;
 - (iv) the role of regional conservatoriums and creative professionals in music education;
 - (v) the efficacy of the current primary and secondary school curriculum in delivering learning outcomes in music-related subjects;
 - (vi) the availability of support for teachers and principals in delivering quality music education and ensuring that an inclusive approach is taken towards resource allocation for regional schools across New South Wales;
 - (vii) the most effective approach for the music and the creative industries to coordinate with the education system to support the development of creative skills;
 - (viii) ways that students can learn entrepreneurial skills and gain industry experience to ensure they are job ready;
 - (ix) measures of success in music education;
 - (x) factors influencing student decisions to pursue further music education, including but not limited to course choice, course location and the method of study; and
 - (xi) notable approaches to music education in other jurisdictions.
 - (c) any other related matters.
- (2) That, notwithstanding anything to the contrary in the standing orders of either House, the committee consist of nine members comprising:
 - (a) four members of the Legislative Council, of whom:
 - (i) two must be Government members, being the Hon. Emily Suvaal and the Hon. Anthony D'Adam;
 - (ii) one must be an Opposition member, being the Hon. Jacqui Munro; and
 - (iii) one must be a crossbench member, being Ms Abigail Boyd.
 - (b) five members of the Legislative Assembly:
 - (i) two must be Government members;

- (ii) one must be an Opposition member; and
 - (iii) two must be crossbench members.
- (3) That the committee elect a chair and deputy chair at its first meeting.
- (4) That, notwithstanding anything in the standing orders of either House, at any meeting of the committee, any four members of the committee will constitute a quorum, provided that at least one member of each House is present at all times.
- (5) That, unless the committee decides otherwise:
 - (a) all inquiries are to be advertised through social media, stakeholder emails and a media release distributed to all media outlets in New South Wales;
 - (b) submissions to inquiries are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration;
 - (c) attachments to submissions are to remain confidential;
 - (d) the chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the chair to convene a meeting to resolve any disagreement;
 - (e) the sequence of questions to be asked at hearings alternate between Opposition, crossbench and Government members, in that order, with equal time allocated to each;
 - (f) transcripts of evidence taken at public hearings are to be published;
 - (g) supplementary questions are to be lodged with the committee clerk within two business days following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness;
 - (h) answers to questions on notice and supplementary questions are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration; and
 - (i) media statements on behalf of the committee are to be made only by the chair.
- (6) That the committee report by Friday 29 November 2024.
- (7) That a message be sent acquainting the Legislative Assembly with the resolution and requesting the Legislative Assembly appoint five of its members to serve on the committee.

Arts and music are particularly important matters to have in our education system for our youth. The contribution of arts and music to our broader economy certainly cannot be understated. We want New South Wales to be regarded as a truly innovative and creative State. Having spoken to the member for Tamworth in the other place today about his commitment to the music and the arts, I know that this view is shared among members of Parliament. We have heard questions this week—or maybe it was last week; it is all a blur—about the Mundi Mundi Bash, which is a fantastic arts and music festival in our State.

In terms of the importance of quality arts and music education to New South Wales, evidence shows that young children who participate in cultural and creative activities are much more likely to do well at school. They find connections and they thrive later in life. Indeed, I recall numerous research studies from when I worked as a clinical nurse of the benefits of playing classical music to children but also to preemie neonates in the neonatal intensive care unit. The importance of music and arts to our youth cannot be understated. The benefits are ongoing, and participation in creative arts and creative skills development among adults has been shown to lead to improvements in physical and cognitive health, which leads to quality-of-life outcomes.

Every child and adult has the right to education and to opportunities that ensure full and harmonious development and engagement in cultural and artistic life. It is critical that arts and music education opportunities are available to every child, regardless of their age, their geographic location or their social and economic status. We must find ways to participate in creative activities, not just as an investment in personal and professional development but as an investment in the future of our State.

I am excited about the prospect of this joint select committee. Indeed, I look forward to the work of the committee in understanding how we can better support our arts and music sectors and also exploring what we need to do as a government to ensure that quality arts and music education is available to all. The benefits are well known. I again commend the Minister in this space for his ongoing work and commitment to the sector. I look forward to the participation from all sides.

The Hon. JACQUI MUNRO (21:23): On behalf of the Coalition, I indicate that we support the motion to conduct an inquiry. It will be interesting, formative and hopefully useful for the people of New South Wales, particularly those students who will benefit so much from a creative arts and music education. I would say that creative pursuits and music are at the heart of being human. Certainly I have benefited greatly from music education. I am a saxophone player; I love my jazz. If I may indulge the House, my first experience of music

education at school was learning the recorder in primary school—a functional instrument to give out easily and cheaply to hundreds and thousands of students across the State.

The Hon. Emily Suvaal: Parents love it.

The Hon. JACQUI MUNRO: I acknowledge that interjection. My parents were treated to an experience like no other when they attended the Sydney Opera House to watch me and hundreds of other students from around the State performing together on hundreds of recorders for hours and hours. That was the first time that I performed at the Sydney Opera House. It certainly gave me a love of playing music, and it is how I got into playing saxophone because of the similar positioning of the fingers. These experiences are a pathway to further education and enjoyment. We know that music changes the brain. Learning music and appreciating music is a part of becoming a more well-rounded person. It allows us to engage with others in a community setting. Whether it is professional or amateur, it does not matter.

The Government has supported the Coalition's contribution to the terms of reference, which was that there should be an inclusion to inquire into the ways that students can learn entrepreneurial skills and gain industry experience so that they are job-ready with their musical and creative skills. Unfortunately we have seen festivals—which are scientifically proven to make people happier—like Splendour in the Grass or Groovin the Moo, and many more, being cancelled at an incredible rate in New South Wales. We need people who are willing to take up the cudgel and turn music into an experience for many, and that means making the business of creative industries and the business of music sustainable. We are pleased to have that incorporated in the terms of reference. I also thank shadow Minister Kevin Anderson, who has been supportive of this process. I commend the motion, and I look forward to the committee inquiry and its findings.

The Hon. AILEEN MacDONALD (21:27): I speak in support of the motion moved by the Hon. Emily Suvaal to establish a joint select committee to inquire into and report on arts and music education and training in New South Wales. I will make a short contribution—and I am afraid that the motion will be longer than the words that I will add to tonight's debate. Arts and music education training is crucial in New South Wales for compelling reasons. The benefits are seen in cognitive development, emotional wellbeing, social skills, cultural awareness and economic prospects. Let us drill down on some of those benefits.

With cognitive development and enhanced learning, the arts stimulate multiple areas of the brain, enhance the memory and develop critical thinking skills. Studies show that children who participate in the arts often perform better academically. They also foster creativity and innovative thinking. Those skills are essential for problem-solving and emotional wellbeing—through arts and music, young people can express emotions in different ways.

In doing so, they develop emotional intelligence to manage stress. The arts also help with boosting confidence and self-esteem. They provide a platform for young people to build self-confidence and a sense of achievement. They learn social skills, collaboration and teamwork, which speaks for itself. Playing in band and performing as a group can teach skills of working together. The arts expose young people to diverse cultures and foster empathy and understanding. It also presents economic prospects and career opportunities. I am sure that the Hon. Jacqui Munro would have liked a career in jazz, but here we are. The arts offer many varied career paths, and a vibrant arts sector contributes to the economy through tourism events and cultural exports.

In conclusion, arts and music education and training are vital for the holistic development of young people in New South Wales. They not only enhance cognitive and emotional capabilities, but also foster essential social skills, cultural awareness and economic opportunities. Investing in these areas helps create well-rounded individuals who can contribute meaningfully to society, which is a good reason to support the establishment of this joint select committee.

The Hon. ANTHONY D'ADAM (21:29): I will make a few comments on the motion to establish a joint select committee on arts and music education. I am enthusiastic about this inquiry because I see the question of arts and music education as an issue of class inequality. The sad fact is that opportunities and access to music and arts education are not evenly spread across our society. Those from working-class and disadvantaged backgrounds are significantly disadvantaged in accessing arts and music education, which we should be deeply concerned about. I express some reservation about the motion's focus on the economic benefits of the arts and creative industries because it reflects a sad path that our society is on, which is that we feel the need to view all things in a utilitarian way, particularly in a way that only sees economic value.

The fact of the matter is that education should not just be about job readiness and preparing people to enter economic life. It should be about what is involved in living a good life. The arts and music are inherently good things. Music is beautiful and part of a fulfilling and enjoyable life, and art is an opportunity for people to be challenged and to think broadly about ideas without necessarily having a nexus to the economic. I fear that the

New South Wales curriculum has increasingly focused on job readiness, meaning that children are getting a much narrower education—which we should be very concerned about. I hope that this inquiry can make some recommendations that turn this trend around.

The Hon. SUSAN CARTER (21:32): I support the motion and acknowledge the comments of the previous speakers about the great value of education in the arts and music, what they bring to our lives and communities, and the way they generally enrich society. It is therefore appropriate to focus on this through this inquiry. I particularly acknowledge the comments of the Hon. Anthony D'Adam about class and the difficulties that often arise for families in providing their children with an arts and music education. Piano lessons and instruments are very expensive. Providing for the different artistic and musical needs of children can also be very expensive, which is why the Creative Kids vouchers played such a critical role in facilitating access to the arts.

The removal of those vouchers was so crushingly disappointing because it took away choice from parents and reduced their ability to support their children's artistic endeavours, meaning that everything now falls back on schools and the collective approach to the arts of 100 children playing the same instrument, whether it is their gift or not. They are not able to explore their individual talents and bring their individual skills to the benefit of society. I support this inquiry, but it is terribly sad that the Government has moved away from supporting parents by not giving them the opportunity to enrich their children's education in the arts at a time when they simply cannot afford to do it by themselves.

The Hon. SARAH MITCHELL (21:34): I make a brief contribution to also offer my support for this inquiry, as the former education Minister. I acknowledge the incredible work of the Department of Education's Arts Unit to put on events like the phenomenal Schools Spectacular, which is a world-class show that showcases the most incredible talent that people will ever see, and the HSC Showcase season, which includes everything from ARTEXPRESS, where students can have their artwork hung in the best galleries around the State, to Encore and Callback. These events cover all school sectors, which is important. I also raise awareness of the important work of regional conservatoriums. As someone who lives in the regions, I have seen firsthand how incredible they are.

Lastly, I give a shout-out to Gunnedah Conservatorium Director Rebecca Ryan and teachers Sandy Clark and Meg Clowes, who teach singing and music to my girls. The conservatorium has a couple of events coming up, including the Gunnedah Eisteddfod next month, which will be a busy few days for the Mitchell family. I am also delighted to say that my girls will be in the local production of *Charlie and the Chocolate Factory* on 29 June at Gunnedah Town Hall. Buy your tickets online! My eldest daughter, Annabelle, will be playing the part of Veruca Salt. I think there is some method acting going on at home at the moment, or maybe she is just approaching the tween years. My youngest daughter, Matilda, will also be making her stage debut as an Oompa Loompa. Rehearsals are well and truly on, so it is a very exciting time.

The Hon. Penny Sharpe: Are you making the costume?

The Hon. SARAH MITCHELL: Oh, no. I have bought the costume, Penny. I'm not silly. These are examples of the great things that kids can get out of being involved in arts and music. They should not be extracurricular activities but integral parts of the school curriculum and the community organisations that work to support their education. This will be a great inquiry and I look forward to seeing the work it does.

The Hon. NATALIE WARD (21:36): I was not going to speak but I feel compelled to defend the recorder. Children should not have to choose between sport and music or the arts. They can have both, and the recorder brings that to everybody. With apologies to Mrs Wright, I learnt piano at great expense to my parents. There was no Creative Kids 1,000 years ago in Adelaide! I absolutely loved playing piano but I am appalling at it—just terrible. I apologise to my parents and Mrs Wright for wasting everyone's time and money, but I had a great time.

There is great value in music education, and I particularly highlight the benefits of music therapy. I call out my good friend Paul Miskin from the great Australian band Tall Tales and True, who some members will be old enough to remember. Paul is now doing music therapy with people who are traumatised and suffering from lots of things in their lives. He brings them together and spends time making their lives a little easier. I am grateful to him for that. It has been proven that music is incredible for Alzheimer's patients for a range of therapy reasons. It does not matter the language someone speaks, people are brought together by the universal language of music, which is incredibly important.

I will go back to my own children's experience. My husband and I were very keen to get them into music. The Music Bus came to their schools and their Christmas concert turned us off continuing their lessons. It is true what they say: You don't choose the instrument; the instrument chooses you. Unfortunately for us it was not the

trombone. It was the flute with Maddie and the bass guitar with our son, Fergus. We thought he would be a rockstar bass guitarist but he did not turn out to be. Unfortunately, he is a lawyer. I am sorry.

I thank the Hon. Susan Carter for raising the issue of Creative Kids. It is important and we commend it. Maybe we should expand the terms of reference of the inquiry. It makes music available to everybody. I commend the member for moving the motion. I support it and the committee inquiry. It is incredibly important to expand everybody's education to include the luxury and the beauty of music. I will finish by acknowledging the music brought to our Parliament in the Fountain Court. It is therapeutic for all of us when we need a little calming and it brings us together. We may not agree on our music tastes, but we all have them.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (21:39): I congratulate the Hon. Emily Suvaal on moving this motion and on her enthusiasm for this area. She will serve as a really valuable member of the committee. I thank all the members who have contributed to the debate, which included a searing critique of the recorder and then a defence of it near the end. I also thank the shadow Minister, Kevin Anderson. He has been an enthusiastic supporter and well more musical than me. I caught him in Tamworth on stage playing to a packed house. He was quite remarkable.

I do regard this as a shared agenda that members of Parliament and this Chamber have built together. One of things that started it was the parliamentary inquiry into the music and arts economy. It was supported across the Parliament. It really built a lot of the agenda that is now being implemented. But one of the items of unfinished business in its report—and it was a very extensive report—was music education. It skated over that and did not look at it in detail. Looking back, that was probably the missing pillar of the report. This work will finish it off. I see it as significant. I give a shout-out to the team at Alberts and the Tony Foundation for their campaign on the importance of music education, especially in New South Wales. They have done a remarkable job. Their research is one of the things that has highlighted the importance of the issue.

I hope a couple of things will come out of the inquiry. Firstly, there are some incredible things going on in the Department of Education. I absolutely agree with that. But it is also very hard for the broader music and creative ecosystems to work out how to engage with the school system. It would be remarkable if this inquiry organised a discussion with the department on how we can do that better. I hope that is a concrete outcome. Secondly, musicians are the least paid workers in the State. They do it for love and they do it for hardly any money at all. Even full-time musicians are paid an average of \$11,000 a year. The school system is one of the areas where they can be employed doing that work. If we get it right, it is one of the biggest levers we have to transform the music ecosystem and keep people doing what they love as work. Again, I hope that is one of the outcomes of this inquiry. It could be transformative. I wish we had got to it in that first inquiry, but I look forward to the work that this inquiry will do.

The Hon. EMILY SUVAAL (21:42): In reply: I thank all honourable members who have made a contribution to tonight's debate. It has been lovely to hear anecdotes from people's experience with music education from Schools Spectacular to participating in local eisteddfods to the role of regional conservatoriums and regional towns more broadly. The role that music plays in bringing people together in regional towns cannot be understated. Nothing quite packs out local pubs in the Hunter like having the Radiators play. The Kearsley Hotel is always packed. It is always a good night when the Radiators come to town.

I was reflecting on this motion more broadly when listening to the Hon. Sarah Mitchell speak. Earlier today the House debated a motion about harmful screen time and social media use. I see this committee and this motion in some ways as the perfect antidote to a lot of that. The role that the arts and music have to play, and the role that music therapy has to play, cannot be understated, particularly within our community, where there are increasing levels of psychosocial distress—and we know that is particularly true of young people.

In my own experience, my father, who is an esteemed musician, had to work three jobs to afford to bring us up at times. He worked at the Con, at the Opera House and privately as a teacher to barely earn a living wage. I am full of hope and optimism for this inquiry. I also echo the Minister in his acknowledgement of Alberts and the Tony Foundation. I remember Alberts when it was the shop, because dad used to go to there for things. The work that it has done in innovating and recreating itself at a time like this is really commendable. The work that it has done in advocating for improvements to arts and music education is also commendable. I look forward to the inquiry.

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

Motion agreed to.

*Documents***TOMAREE LODGE****Production of Documents: Order**

The Hon. TAYLOR MARTIN (21:45): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the document known as the *Tomaree Lodge Site Potential Future Uses Community Consultation Outcomes Report*, in the possession, custody or control of the Minister for Families and Communities, and Minister for Disability Inclusion, and any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Tomaree Lodge was a former large residential centre [LRC] for people with disabilities. The decision to redevelop all LRCs was made by the New South Wales Government in 1998, predating the NDIS, and it has had bipartisan support. The New South Wales Government closed the last of the large residential centres because it did not provide residents the quality of life, inclusion or opportunities for social participation available to other citizens. Prior to the 2019 election, both the then Government and the then Opposition committed to keeping the Tomaree site in public hands.

For most of the last term of Parliament, the site was subject to a land claim by the Worimi Local Aboriginal Land Council. The former Government rightly respected that process and, as such, no work was done regarding the future use of Tomaree Lodge until the Land and Environment Court of New South Wales handed down its decision dismissing the claim and determining that the New South Wales Government would retain the site. That same week, the then Minister, the Hon. Natasha Maclaren-Jones, immediately commenced public consultation regarding the future use of Tomaree Lodge. That process concluded in January 2023.

I was quite happy with those steps because it showed that the former Government and the former Minister were keen to move forward with ensuring that the site remained in public hands. Unfortunately, the 2023 election meant that we were not able to proceed beyond community consultation at that time. But since the change of government last year, the process has stalled. I discovered via a question on notice last year that the then incoming Minister—who as it happens is also the local member—was given the *Tomaree Lodge Site Potential Future Uses Community Consultation Outcomes Report* 12 months ago, in May last year. Despite further questions as to when it will be released during budget estimates and by community members and the media, the Government has repeatedly refused to release that report.

There are many ideas regarding what to do with the site. The community rightfully asks for a bit more information and certainty as to what direction it may go. There is a group of diverse organisations known as the Tomaree Headland Heritage Group, which has put forward a number of ideas, including museums, performing arts spaces, outdoor walks and even retail spaces. I am aware of some educational institutions considering locating facilities on the site if permissible. In addition, Port Stephens Council resolved last year to take a strategic leadership role regarding the site's future. We know that when the Minister was in Opposition she called for the site to be used as emergency accommodation but has since walked back from those calls.

We know also that last year the site was included in an audit of unused government land but, once again and after community revolt, the Government backflipped and announced that it would not be privatised. I emphasise that this is not a fishing expedition requiring that truckloads of documents be held in a wing of the Parliament. It will not require hours of work from the department. I simply ask for one document, which the Minister has stated she has, to be provided and made public. I do not want the project to be delayed to the never-never. I am aware that the department is undertaking further work on the site. That is why the Minister has not released the consultation outcomes report. The community has been extremely patient, but I am perplexed about why this has taken so long and why it should prevent the release of that community consultation outcomes report.

The cost of security and maintenance alone at the site is around or over \$1 million per year. The longer the Government takes to decide on what to do with the site, the larger that bill will be. I have been pursuing the matter of the future use of Tomaree Lodge for nearly five years, beginning when I was a member of the previous Government. I am not interested in playing politics on this topic. Indeed, I have never sought a political outcome. I would like to see a real outcome because the community is asking for and deserves it. I ask the Government and all members to support this very simple and small order for papers.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:50): The Government does not oppose the motion. The document being sought relates to a consultation process that was undertaken by the former Government concerning the Tomaree Lodge site in Port Stephens. The Minister for Disability Inclusion in the other place has previously

answered questions on notice from the Hon. Taylor Martin regarding the matter. She explained that further work was needed to determine the physical, ecological and heritage constraints on the site.

Unfortunately, the initial community consultation process was not well designed and did not account for any constraints on the site, which are considerable. Therefore, more meaningful community consultation will be required to determine the future use of the site. I acknowledge that Tomaree Lodge is a very important site for the local community, and the Government is committed to keeping it in public hands. The Minister for Disability Inclusion has committed to publicly releasing the report. We do not oppose this motion.

The Hon. NATASHA MACLAREN-JONES (21:51): I will contribute briefly to the motion, which I thank the Hon. Taylor Martin for moving. As an Opposition member, I too support this call for papers. I will not go through the history of the matter because it was eloquently outlined by the Hon. Taylor Martin, but I note that the Liberals and The Nationals while in government were always committed to ensuring that the site remained in public hands. When the land claim was finalised, I commissioned a community consultation paper. As the Hon. Taylor Martin stated, the Minister was asked about that paper in estimates last year and again this year. On several occasions she was evasive about when she would release it.

It has been brought to our attention that the site is costing the Government over \$1 million in maintenance and security. What is concerning is that, following additional questions at this year's estimates hearing in March, we were advised that an options paper was provided to the Minister back in December last year detailing possible future uses for the site. This evening the Minister stated that further work must be done to look at options. I would be interested to know exactly what those options are and when the Minister intends to make a decision about this important site.

Ms ABIGAIL BOYD (21:53): I will also truncate my contribution to the debate in the interests of time. On behalf of The Greens I support the motion. I note the Hon. Taylor Martin's keen interest in issues concerning local community members around the Port Stephens area and thank him for acting in the best interests of the community in regard to transparency, accountability and community consultation. Residents and community organisations have previously raised concerns about this site being sold off to the highest bidder. Some have proposed that it be managed under a trust to preserve permanent public ownership. It is vital that we keep the Tomaree Lodge site in public hands and ensure that the community's views guide the decisions around its future uses. We support the motion.

The Hon. TAYLOR MARTIN (21:54): In reply: I thank the Leader of the Opposition and the Leader of the Government for allowing this call for papers. I thank the Hon. Natasha Maclaren-Jones, the previous Minister responsible for the portfolio, for her input tonight and also during her time as Minister. I thank Ms Abigail Boyd for representing The Greens. I thank Mr Peter Clough, a local from Port Stephens who has championed this project. He has ensured that the community is heard on this matter. I thank Peter and his group for their time and energy and effort.

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

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. PENNY SHARPE: I move:

That this House do now adjourn.

VALENTINA HURTADO DIAZ

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I welcome to the gallery guests of the Hon. Aileen MacDonald: Valentina Hurtado Diaz, Juan Diaz and Chelsea Burgess Hannon.

The Hon. AILEEN MacDONALD (21:55): I share the story of a young Australian who represents the best and brightest of us. Her name is Valentina Hurtado Diaz. I have had the pleasure of hosting her as an intern in my office over the past few months. Valentina is a fourth-year student of Arts, International Relations, and Advanced Studies in Politics at the University of Sydney. She is a positive and talented young woman and the daughter of immigrants. I fully support multiculturalism, and Valentina has captured her experience in this place in a report, which exposes some flaws in the system that I believe are worth raising in the House. Valentina's family has done well in this country, but it has not been without its challenges. Valentina wrote:

For over three months, I've had the privilege of serving in the NSW Parliament—an experience that initially felt like an impossible dream as an immigrant, but with time miraculously unfolded. Unlike my father 13 years ago, I have been blessed these past three months with a great number of opportunities, for which I am profoundly grateful to the Hon. Aileen MacDonald and her team.

It took me just two sitting days surrounding the February Budget Estimates to realise the significant disparity between academic knowledge and the practical art of parliamentary proceedings, in many ways mirroring the vast disparity between government assurances and the reality of poor integration programs for immigrants.

My parents were confronted with a system that offered little guidance or support for transferring their internationally based skills into the Australian context, despite arriving on a skills-sponsored PR visa, they were professionals who found themselves grappling with the high cost of living. They were compelled to rely on their physical abilities to sustain a decent lifestyle.

My father was a 26-year veteran of the Air Force with expertise in finance and accounting but was told upon his arrival 13 years ago that he wasn't skilled enough.

Immigrants constitute 27% of the workforce in sectors experiencing skill shortages, such as machinery operation, trades, labour, and transportation. Their entrepreneurial spirit and innovative ideas stimulate business growth. Standing among the 30% of immigrants who launched businesses is my father, with his goods transportation company that operates across NSW.

Thirteen years ago, after paying \$50,000 for their visas and resettlement, my parents felt they were failed, left alone with no community and no support. Neglected by their government and society, receiving nothing further than occasional reminders of their skill deficiencies during monthly calls from job seeker programs.

It should have been easier for the kids. My brother certainly hoped so. However, instead, he found himself thrust into an entirely new education system in the Shire, with no other kids to relate to and minimal support from the ESL program.

To comply with the program, he was excluded from sports days, further isolating him, and making it difficult to integrate with Australian kids. Left to fend for himself, he faced discrimination and bullying due to his prominent Colombian accent.

I implore Members of Parliament, as policymakers and budget drafters, to consider those individuals entering Australia daily. Immigrants are assets to our country, but they require YOUR support to do the best they can for Australia. There must be no more exclusion, no more division, no travel bans, and certainly no populist ideas.

I know the Minister of Home Affairs and the President of this Chamber are keen to hear more uplifting stories showcasing successful social integration by immigrants in our community. I sincerely hope that such positive transformations can take place, and that the reality for newcomers in Australia vastly contrasts that of my own.

Yes, it is emotional, but Valentina has articulated some interesting thoughts, not all of them palatable. But I believe it is important to hear from our youth, from their perspective. Indeed, this is the sort of feedback which helps keep us in check and ensure that we are all more inclusive.

ANIMAL SEXUAL ABUSE

The Hon. EMMA HURST (22:00): On 1 May media headlines stated that the worst known animal sexual abuser in New South Wales had been arrested. As disturbing as it is, authorities have reported a recent spike in animal sexual abuse cases, or at least a spike in detection of those cases. In this particular case, a 38-year-old New South Wales man produced and disseminated content online depicting the sexual abuse of animals under the pseudonym "Beast Boy". His victims included dogs, sheep, goats, chickens and a dead kangaroo. Under this pseudonym, the man was believed to be one of the biggest self-producers of animal sexual abuse material in the State.

At the time of his arrest the man was reportedly charged with eight counts of bestiality, six counts of producing bestiality material, four counts of disseminating bestiality material, as well as being charged with the possession of child abuse material and using a carriage service to access and solicit child abuse material. Further charges are expected as New South Wales police continue to investigate the matter. Earlier this year a young couple in New South Wales was charged with multiple offences of bestiality and multiple offences of disseminating bestiality material.

Of course, the offence of disseminating bestiality material was only introduced into New South Wales in 2021, when I amended the Act to ensure this was illegal. Distressingly, in most Australian jurisdictions it is still not an offence to share or produce footage of animal sexual abuse, including in the Northern Territory, where there has been another high-profile case involving zoologist Adam Britton. He had obtained animals listed as "free to good home" on Gumtree, only to take those animals into what he described as his "torture room", where he sexually assaulted and tortured them before killing them. Unsurprisingly, he was also found in possession of child abuse material. There is a known link between people who sexually abuse animals and people who sexually abuse children.

In the case of "Beast Boy" in New South Wales, the offending behaviour only came to light because of Strike Force Trawler, which is an ongoing investigation by the NSW Police Force Child Exploitation Internet Unit. That is why I am now campaigning for urgent Federal reforms. Federal jurisdiction covers the use of carriage services across Australia and already provides restrictions about what can be distributed or shared online. This means there is an opportunity to extend the restrictions and introduce a Federal-level offence for using carriage services to distribute animal sexual abuse materials. This would go some way towards a uniform approach in

Australia, where, at the very least, the distribution of these materials using a carriage service would be illegal nationally despite the glaring omission in most State and Territory laws.

While New South Wales bestiality offences are currently stronger than the laws in most other jurisdictions, there is still a lot of work to be done in our State. It has been brought to my attention that the definition of "bestiality"—and in fact the word itself—may be problematic. The offences of bestiality and attempted bestiality are clearly established under the New South Wales Crimes Act. Likewise, the production, distribution and possession of bestiality or animal crush material is also a clear offence under the Act. The problem arises when enforcement agencies and the judiciary have to decide what actions constitute bestiality.

There is no definition in New South Wales. Instead, judges rely on common law interpretations that, unfortunately, are limited to acts of sexual penetration. As we know, sexual abuse takes many forms, and it is entirely inadequate to limit the scope of bestiality to acts of sexual penetration. Some other jurisdictions, such as Tasmania, already provide a broader legislative definition of bestiality. In the United States there has been a push to modernise the offence by replacing the term "bestiality" with the phrase "sexual abuse of animals". That language allows a broader understanding of what constitutes the crime and could help capture forms of sexual abuse other than penetration.

The Animal Justice Party is now in the process of rewriting New South Wales laws to ensure that all acts of animal sexual abuse are covered under the legislation, and we are working with an Independent Federal MP to make the necessary changes there as well. Yes, it is disturbing. Yes, it is uncomfortable to talk about. But it is extremely important that we do talk about it. People who commit acts of sexual abuse on animals are a danger to our community, and we need to make sure our laws are as strong as they can be.

ROUSE HILL HOSPITAL

The Hon. PETER PRIMROSE (22:05): On Monday I had the pleasure to meet with the Premier, the Minister for Health and my colleague the member for Riverstone at the site of the new 300-bed Rouse Hill Hospital on the corner of Commercial and Windsor roads. The \$700 million Rouse Hill Hospital will be the first major adult hospital built in Western Sydney in over 40 years. Once the consultation and planning approvals are finalised, construction is expected to start either towards the end of next year or in 2026, and construction of the Rouse Hill Hospital is expected to be completed in 2028. Rouse Hill Hospital is expected to include an emergency and urgent care department; inpatient beds and a day surgery unit; short stay medical assessment services; pathology, pharmacy and medical imaging services; outpatient and ambulatory care services, including paediatrics, renal, maternity services and women's health; a health hub for virtual care and Hospital in the Home services; and prehabilitation, rehabilitation and lifestyle medicine.

Artist impressions of the new hospital were unveiled to the public for the first time, showing wards with views to the mountains and a multistorey car park, all in close proximity to public transport. Planning and design with community feedback is already underway ahead of further consultation with the community and health professionals. The next stage of project planning is focusing on the internal design of the hospital. Back in November 2014 the then health Minister, Jillian Skinner, along with former Premier Mike Baird, first announced plans for a Rouse Hill Hospital. Prior to the 2015 election they also stated that the community "deserves a first-class hospital". But nothing ever happened. The promised hospital turned into a promised medical centre with no emergency department. Still, nothing actually happened. The current site has stood empty since 2018, with the only construction being a wire fence covered in dilapidated plastic sheeting. The only earth moved on the site was in March 2023 when the Liberal health Minister and two of his colleagues threw three shovels of dirt into the air for a photo opportunity in what became the dying days of the former Coalition Government.

The Sydney Harbour Bridge took about 10 years to go from tender to construction and to opening. If anyone seriously thinks the New South Wales Liberal Party and The Nationals were ever going to get around to building anything, let alone a major hospital or their endlessly promised medical clinic, then I have a bridge for sale that they might be interested in buying. It took the election of a New South Wales Labor Government to turn that litany of Liberal broken promises into a reality. A fully functioning major hospital has been funded and will deliver the services that our area needs. It is vital that the new hospital is staffed with the right number of doctors, nurses and allied health staff from the beginning. That is why the new hospital will be one of the first sites to adopt the New South Wales Labor Government's full campus model, which incorporates key health worker accommodation and childcare services to support our highly skilled workforce in the years to come. Construction of the Rouse Hill Hospital will also provide a significant boost to the local economy by supporting an estimated 1,200 direct jobs during construction and thousands of indirect jobs throughout the life of the project.

EATING DISORDERS

The Hon. SUSAN CARTER (22:09): I was not intending to speak on this topic tonight but, as often happens in this place, events overtake us. The event that overtook tonight, in my mind anyway, was the one I hosted with the Hon. Emily Suvaal as co-chairs of the Parliamentary Friends of Mental Health. The event focused on eating disorders in Australia and in New South Wales. We were fortunate to have representatives from the InsideOut Institute and the Butterfly Foundation, and also two very brave people who shared their experiences of living with an eating disorder.

We probably all think we know the incidence of eating disorders in Australia. How many people do members believe have an eating disorder? If we are talking about young women between the ages of 15 and 19, 18 per cent of that population have an eating disorder. That is a tremendous number of young women who are facing an eating disorder. It is not just women who are experiencing eating disorders; it is also men. It is a tremendous affliction and we need to take it seriously. We need to talk about it. We need to resource treatment for it.

We are rightly concerned about the road toll in this country and the enormous number of deaths. Eating disorders killed more people in Australia last year than the road toll. It is a very significant cause of death. Eating disorders have the highest rate of death associated with them among mental illnesses, and that is an underestimate because one of the challenges is getting sufficiently accurate data. When deaths come to be coded, not everybody goes down as "eating disorder".

If a person has had a cardiac arrest because of the effect on their body from an eating disorder, if a person has renal failure because of the effect of an eating disorder on their body, or if a person has committed suicide, which is unfortunately often associated with eating disorders, they do not get recorded as an eating disorder death. There is a huge underestimate of the ultimate toll on our young and not-so-young Australians, and we need to talk about it. We need to recognise it because we also need to resource it. The figures presented at the event tonight, which again are difficult to state accurately, suggest that we spend about \$2 per person to treat everyone with an eating disorder. That is not enough.

Looking at the individual cost, one person who spoke at the event talked about her 17-year recovery from an eating disorder and estimated that it had a cost of about a million dollars. Some of that was what was paid out by her and her family, and those around her, for treatment. Some of it was lost opportunities for work. Some of it was the cost of providing treatment. That is an extraordinary burden to place on a person. Those who are thinking 17 years is an extreme case should talk to anybody with an eating disorder. They can be found in every community. Talk to the brave people in recovery. Taking 17 years to recover is not an overestimate, if a person does recover.

New South Wales has the first service plan for eating disorders. It began in 2022 and it will finish in 2025. It is very important that is not a one-off. We need to learn from that service plan. We need to reflect on the success of, or the problems with, that service plan and we need to renew it because everybody in New South Wales with an eating disorder, or everybody who loves somebody with an eating disorder, needs to be recognised and supported adequately.

RACING INDUSTRY

The Hon. MARK LATHAM (22:14): When I spoke recently in the adjournment debate to highlight the maladministration of Peter V'landys at Racing NSW, I could not have anticipated the public response. From coat-tugging punters through to very senior and successful participants in the racing industry, they have come up to me at the track to say universally, "Thank goodness someone has spoken the truth about the V'landys dictatorship. You have said what we want to be able to say but fear retribution and even legal action by Peter V'landys against us." That tells us something important about the administration of racing in our State.

When the Carr Government reformed the industry, no-one anticipated the two big changes that V'landys would introduce. The first has been to turn Racing NSW into a personal dictatorship, whereby smart, competent people are being marginalised and V'landys' acolytes are being appointed as part of a shameful dumbing-down process. The breeding industry, for instance, now has no say at all even though, combined with owners, it puts more into racing than Racing NSW. Racing Ministers who, for the most part, know little about the track, have gone along with the dumbing-down process. Like the acolytes, they are afraid of V'landys and his apparent power, particularly at *The Daily Telegraph*. Imagine living your life that way. Like all dictators, V'landys does not tolerate dissent and is most comfortable when surrounded by compliant dullards. The long-term consequences of that for the industry are horrendous.

The second change has been to turn Racing NSW, established as a regulator, into the State's biggest real estate agent. That was never foreseen nor intended in the way in which the legislation was established. Racecourses have been blackmailed into handing over their freehold title to V'landys, most recently at Goulburn,

with Kembla Grange the next on the chopping block. They have been made offers they cannot refuse, in the style of the Italian mafia. Since 2017 more than 50 other properties have been purchased, many of them with nothing to do with racing, such as inner-city apartments and a country estate—I understand for some of the personal use of Racing NSW executives. V'landys has even bid for and purchased land next to existing horse farms, solely for the spiteful reason of denying ownership to those who have disagreed with him and, in some cases, even those who went out of their way to mentor him.

The multimillion-dollar real estate splurge has unfolded while Racing NSW has left other significant racing assets in a disgraceful state of disrepair. The fastest growing population corridor in Sydney is in the south-west, a natural home for racegoers and the odd punter, yet V'landys has deliberately left Warwick Farm as a museum from the 1970s. It has changed little from when I first attended the Liverpool City Cup in 1976, won by the great Wave King. My horse, Wayne's Bid, finished third—you remember these things vividly. But, of course, the real impact for the neglect is that families will not attend and Saturday racing, including group racing, has been lost at Warwick Farm.

The fiasco of the sale of Rosehill racecourse and the wacky brick pit proposal is the latest manifestation of the Peter V'landys real estate agency. Again, racing Ministers are being too duchessed and too weak to return Racing NSW to its core function as a regulator. Racing badly needs a new revenue and expenditure model. Over the past decade Racing NSW's stated income has quadrupled to more than \$400 million annually while the racing clubs have been starved and supplicated to V'landys. He who pays the piper has called the tune. Racing NSW has been a huge beneficiary of the rivers of gold that have come from the corporate wagering arrangements while the clubs themselves have been starved. There is an urgent need to democratise the industry, giving all stakeholders a real say and to re-empower the race clubs with their own guaranteed revenue streams from the corporate wagering rivers of gold.

The dictator, of course, has no interest in those sensible reforms. As Racing NSW is a government-created body under statute, the impetus for change must come from this Parliament. Hopefully the new select committee that has been established looking into the sale of Rosehill racecourse can make some useful recommendations upon its inquiry. One day the V'landys dictatorship will end. It would be wise indeed to reform the Racing Act now to overcome the mistakes of the past decade and give this important industry a more sustainable structure and management style. I look forward to the work of the Rosehill inquiry. Given it is a real estate deal, they should be looking closely at some of the other finances of Racing NSW.

PROTEST LAWS

The Hon. ANTHONY D'ADAM (22:19): On 23 March, during the course of the weekly Palestine protest, three protesters were arrested on Market Street in Sydney while performing a "die-in", which is a form of street theatre designed to highlight the genocide occurring in Palestine. In this case the police failed to distinguish between real violence and pretend violence, between real harm and actions that are harmless. Real violence is what is being inflicted daily on innocent men, women and children in Gaza. Real violence is the brutality meted out by Israeli settlers in the West Bank. It is not performing a "die-in" on a Sydney street as part of a peaceful protest. It is not the blocking of roads and access to a shipping port. It is a distinction that our police officers need to understand if they are to do their job properly. They are meant to operate on the principle of policing with consent. They are there to protect and serve the community. Despite dressing in military-style fatigues, they must understand that they are not an occupying army using force to control a civilian population.

In February's budget estimates hearing Commissioner Karen Webb was asked about this notion. She affirmed that the NSW Police Force operates under Peelian principles. Developed in 1822 by the United Kingdom Home Secretary Robert Peel, the nine principles emphasise a rigorous and less discretionary approach to law enforcement to ensure an ethical police force. These principles state that the aims of the police are:

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.
2. To recognise always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour ...
3. To recognise always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.
4. To recognise always that the extent to which the co-operation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.
5. To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law ... by ready offering of individual service and friendship to all members of the public ... by ready exercise of courtesy and friendly good humour; and by ready offering of individual sacrifice in protecting and preserving life.
6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police ...
8. To recognise always the need for strict adherence to police-executive functions, and to refrain from ... authoritatively judging guilt and punishing the guilty.
9. To recognise always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

The approach of the Public Order and Riot Squad at many Palestine protests makes a liar of the commissioner. It uses fear and intimidation as a means of obtaining compliance. We will not be intimidated, especially when we are trying to stop a genocide. Any time police officers resort to the use of force against non-violent protesters, they violate these principles and undermine the consent and respect necessary for the police to do their job. The individual police officers who made the arrests made an error of judgement. This was not a violent protest and violence was not required as a response. Words could and should have been used to de-escalate the situation. Individual officers might, in a moment, make an error of judgment, but the problem is that the police have chosen to double down. A matter that should have never made it to court now absorbs valuable and limited court time. These charges should be dropped.

We need to return to the principles that underpin democratic and ethical policing. The right to protest, to free speech and to freedom of assembly are core aspects of our democracy. The police—and other institutions—must not infringe on these rights. The student movement that has rallied in support of Gaza should be commended for its moral courage. What began as a small number of tents at Columbia University has inspired hundreds of university encampments across the globe—including at the University of Sydney—with students demanding a ceasefire and a complete divestment of university ties to Israel. We are at a critical juncture. Rightfully so, peaceful protests have swelled to encompass thousands of voices demanding change and challenging injustice. If this right is to have meaning, then law enforcement must uphold and protect it, not seek to use force and intimidation to discourage the exercise of it.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:24 until Thursday 16 May 2024 at 10:00.