

LEGISLATIVE COUNCIL

Wednesday 5 June 2024

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

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

Motions

FUTURE SOONER

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

- (1) That this House notes that:
 - (a) Future Sooner, a community-led advocacy group committed to working towards a clean energy future for the Central Coast and Lake Macquarie, is conducting a citizens inquiry into health concerns arising from coal-fired power stations and will hold a public hearing on Sunday 25 August 2024 at Halekulani Bowling Club;
 - (b) the inquiry's panellists, comprised of local professors, doctors and health professionals, will report on the stories presented by residents on the day or submitted in writing in relation to the impact on their health of contamination and pollution from coal-fired power stations and their ash dams;
 - (c) the inquiry is requesting submissions and testimony from community members, particularly those who have been affected by health problems such as cancer, chronic obstructive pulmonary disease [COPD] and other respiratory illnesses; and
 - (d) the inquiry will draw on the recommendations of the Public Works Committee's inquiry into costs for remediation of sites containing coal ash repositories, which made key recommendations in relation to the health impacts of coal ash dams in New South Wales and strategies to protect the health of local citizens.
- (2) That this House commends the work of Future Sooner and community members involved in advocating for a clean and healthy future for the Central Coast and Lake Macquarie.

Motion agreed to.

WALK FOR WAGEC

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

- (1) That this House notes that:
 - (a) on Sunday 5 May 2024, thousands of people joined the "Walk for WAGEC", a 10-kilometre walk at Centennial Park to raise money for women and children experiencing domestic and family violence;
 - (b) Walk for WAGEC raised over \$400,000 in 2024, which will help deliver crucial programs and services for women and children to restore safety, build financial independence, and promote healing and recovery from trauma;
 - (c) Women's and Girls' Emergency Centre [WAGEC] is a feminist, grassroots organisation that supports women and children in crisis, providing support to an estimated 200 women and children every night through services including material aid, financial independence programs, case management, holistic wraparound support, accommodation and crisis responses;
 - (d) the mission of Walk for WAGEC is to recognise that gendered violence impacts all of us, which is why all people across the community are invited to participate in the walk each year to support women and children to walk away from violence; and
 - (e) while community-led initiatives like Walk for WAGEC make a huge difference in raising funds and awareness for those affected by gendered violence, it is the role of all levels of government to lead the fight to eliminate violence against women and children, through robust policy accompanied by significant investment in frontline prevention and response services and programs.
- (2) That this House commends the work of all those involved in organising and participating in Walk for WAGEC.
- (3) That this House calls on the Government to commit to supporting organisations like WAGEC to continue carrying out vital frontline services and programs to women and children experiencing domestic and family violence, homelessness and systemic disadvantage.

Motion agreed to.

DOMESTIC AND FAMILY VIOLENCE FORUM

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

- (1) That this House notes that:
 - (a) at a forum on 14 May 2024, the New South Wales Parliament heard from leading experts from the domestic and family violence sector Christine Robinson, Annabelle Daniel, Yumi Lee and Jess Hill in relation to next steps to address domestic and family violence in New South Wales;
 - (b) the forum was well attended by members of Parliament and their staff, Department of Parliamentary Services staff and media representatives;
 - (c) Christine Robinson, Bundjalung woman and CEO of Wurringa Baiya, spoke about the experience of First Nations women and children in relation to accessing domestic and family violence services, the intergenerational trauma stemming from colonisation, lack of culturally safe services and programs for First Nations victim-survivors, fear of accessing services, the risk of unintended consequences from legislative change and the vital frontline work that Wurringa Baiya carries out;
 - (d) Annabelle Daniel, founding CEO of Women's Community Shelters, chair of Domestic Violence NSW and independent member of the New South Wales Coercive Control Implementation Taskforce, spoke about housing affordability and availability as a key component affecting women who are leaving domestic violence, that the demand for the services provided by Women's Community Shelters has almost doubled in the last year, the importance of wraparound services for victim-survivors and the importance of response as a form of prevention;
 - (e) Yumi Lee, CEO of Older Women's Network NSW, spoke about the exclusion of older women experiencing family violence from the coercive control offence due to come into effect in July 2024, housing accessibility as a form of domestic violence prevention and the intersection of violence experienced by older women at the hand of their sons or grandsons who have previously perpetrated intimate partner violence; and
 - (f) Jess Hill, author of *See What You Made Me Do* and coercive control expert and advocate, spoke about the intersection between gendered violence and systemic gender inequality, the importance of viewing domestic violence response including crisis shelters as a form of prevention, the prevalence of misidentification of the primary aggressor in domestic violence cases and the need for court reform as well as police reform and training.
- (2) That this House affirms that there is no substitute for listening to victim-survivors, advocates and experts in relation to what is needed to address, respond to and prevent domestic and family violence.
- (3) That this House calls on the Government to commit to not only listen to but act on the views and experiences of those with lived experience, advocates and experts, across all aspects of domestic and family violence response and prevention policy and decision-making.

Motion agreed to.

LGBTIQ+ DOMESTIC VIOLENCE AWARENESS DAY

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

- (1) That this House notes that:
 - (a) Tuesday 28 May 2024 was LGBTIQ+ Domestic Violence Awareness Day, which was first marked in 2020 to raise awareness of the nuances of domestic, family and intimate partner violence and abuse occurring in LGBTIQ+ communities;
 - (b) the founders of the annual awareness day, LGBTQ Domestic Violence Awareness Foundation, advocate for necessary changes in both the visibility of LGBTIQ+ people's experiences and the quality of response they receive when reaching out for help, to ensure that all people no matter their sexuality or gender identity can feel seen and believed and receive safe and inclusive support; and
 - (c) according to Australia's largest national survey of the health and wellbeing of LGBTIQ+ people to date, titled *Private Lives 3 National Report* published in 2020 by the Australian Research Centre in Sex, Health and Society [ARCSHS] at La Trobe University:
 - (i) over 60 per cent of LGBTIQ people experience domestic, family or intimate partner violence or abuse;
 - (ii) 72 per cent of LGBTIQ people who have experienced domestic or family violence did not report the abuse to anyone, and of the 5.9 per cent of victims who reported it to police (including LGBTIQ Liaison Officers) only 45 per cent felt supported in doing so, which might indicate that queer people feel that sufficient support is not available to them or they are unaware about services they could access;
 - (iii) notably, a large proportion of participants expressed a preference for LGBTIQ-inclusive services or services that cater only to lesbian, gay, bisexual, transgender or intersex people if they were to require support relating to family violence in the future; and
 - (iv) despite a number of important legislative reforms either nationally or at the State or Territory level over the past decade, further investment toward improving health and wellbeing is necessary, as rates of mental health and other challenges remain high and the proportion of LGBTIQ people accessing LGBTIQ-inclusive or specific services are still low.
- (2) That this House calls on the Government to commit to supporting the needs of LGBTIQ+ people through:

- (a) properly funding frontline domestic, family and sexual violence services, including in regions outside inner suburban areas, that specifically cater to the needs of lesbian, gay, bisexual, trans, gender-diverse or intersex people and are fully informed and shaped by consultation with all relevant communities; and
- (b) the inclusion of sexual orientation, gender identity and intersex variations in government policy frameworks as key priority populations.

Motion agreed to.

SYDNEY WRITERS' FESTIVAL

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

That this House notes that:

- (a) the Sydney Writers' Festival ran from 20 to 26 May 2024, as a week-long celebration of literature, writing and ideas, featuring writers from across Australia and the world;
- (b) on 20 May 2024, Paul Lynch, the Booker Prize winning Irish author of *Prophet Song* discussed his work as part of the Sydney Writers' Festival program; and
- (c) the event was held at City Recital Hall in the Sydney central business district and was well attended, including by the Hon. Cameron Murphy, MLC, who was invited by the Consulate General of Ireland, Sydney.

Motion agreed to.

RECONCILIATION WEEK

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

- (1) That this House notes that 27 May to 3 June 2024 marked Reconciliation Week across Australia.
- (2) That this House recognises that Reconciliation Week is an opportunity for Australians to explore and take part in the journey towards reconciliation.
- (3) That this House acknowledges that the theme for Reconciliation Week 2024 is "Now More Than Ever", which is a reminder that now more than ever, we need reconciliation.

Motion agreed to.

BIRTH TRAUMA INQUIRY

The Hon. EMMA HURST (10:05): Co-sponsored by the Hon. Mark Banasiak, the Hon. Susan Carter, Dr Amanda Cohn, the Hon. Anthony D'Adam, the Hon. Greg Donnelly, the Hon. Stephen Lawrence, the Hon. Natasha Maclaren-Jones, the Hon. Sarah Mitchell and the Hon. Emily Suvaal: I move:

- (1) That this House acknowledges the incredible support, hard work and dedication of the secretariat on the landmark inquiry into birth trauma, which received over 4,000 submissions.
- (2) That this House gives both thanks and appreciation to:
 - (a) the birth trauma secretariat—including Jessie Halligan, Julianna Taahi, Kara McKee, Tina Mrozowska and Shaza Barbar—for their tireless work, commitment to ensuring the inquiry ran smoothly and that all witnesses were supported and treated with respect and compassion, and of course for their exceptionally capable assistance; and
 - (b) the valuable staff across the Legislative Council Committee Office who also assisted the inquiry, particularly in the processing and reviewing of the thousands of submissions received.

Motion agreed to.

STEVE "ROBBO" ROBINSON

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

- (1) That this House notes with sadness the recent passing of Steve "Robbo" Robinson, an organiser and life member of the Electrical Trades Union, NSW and ACT Branch, who devoted more than 50 years to the union movement and the electrical industry.
- (2) That this House further notes that:
 - (a) Robbo first became involved in the union movement while working as an avionics engineer at Mascot Air Base in the early 1970s, becoming the Combined Unions Convenor, and later in 1989 an organiser for the Australasian Society of Engineers;
 - (b) in 1992 Robbo became an organiser for the Electrical Trades Union, where he fought tirelessly for workers' rights for over 30 years, leaving an indelible mark on the union movement;
 - (c) Robbo is remembered across the union movement as a fierce advocate for workers and a truly good person;
 - (d) the Hon. Mark Buttigieg, MLC, had the benefit of knowing and working with Robbo, and will never forget his willingness to speak out and say what he thought had to be said regardless of the cost to himself; and

- (e) the quality of courage is one too few possess and if there were more people like Robbo, the world would be a much better place.
- (3) Vale, Steve "Robbo" Robinson.

Motion agreed to.

PARLIAMENTARY SERVICES STAFF

The Hon. MARK BANASIAK (10:06): I move:

- (1) That this House notes:
 - (a) the significant and indispensable role played by the staff of the parliamentary services across departments in ensuring the smooth functioning of the Parliament of New South Wales; and
 - (b) the dedication and hard work of all parliamentary services staff, without whose contributions the members of Parliament would not be able to perform their duties effectively.
- (2) That this House further notes that:
 - (a) many parliamentary services staff come from different linguistic backgrounds and recognises the diversity, enriching our Parliament with their unique perspectives and skills; and
 - (b) it is essential to recognise and respect the work of all staff members regardless of the position or role, ensuring that they feel valued and appreciated within our parliamentary community.
- (3) That this House thanks and expresses its gratitude to the parliamentary services staff for their unwavering commitment and exceptional service to the Parliament and people of New South Wales.

Motion agreed to.

INTERNATIONAL KARATE BENEFIT TOURNAMENT

The Hon. MARK BANASIAK (10:06): I move:

- (1) That this House notes that:
 - (a) on 6 July 2024 Jin Sei Ryu Karate-Do will host an international karate benefit tournament in Sydney;
 - (b) participants will attend from around Australia as well as the United States of America, Chile, South Africa and Japan;
 - (c) the tournament will also celebrate two important milestones in a unique way:
 - (i) it is five years since Jin Sei Ryu Karate-Do International was established;
 - (ii) an incredible 50 years of dedication to karate, martial arts training and budo of its founder and Kancho, Mr Inocencio (Ino) Maquirang; and
 - (d) the benefit tournament will be the twenty-first tournament hosted by Kancho Ino Maquirang, Shihan Leigh Maquirang and Senpai Max Maquirang and will this year raise funds for Headspace and the Cancer Council.
- (2) That this House further notes that:
 - (a) Mr Maquirang is the son of two hardworking parents, Mr Inocencio Maquirang Snr and Mrs Virginia Vargas Fisher, who emigrated to New York, United States of America, from the Philippines in 1947 and 1959 respectively;
 - (b) like so many parents today, they wanted their son to benefit from martial arts and took him along to his first martial arts class at the age of eight and to many classes and tournaments over the years after that, as dedicated, loving and supportive parents do;
 - (c) starting his karate training in 1974 in Kyokushin Karate under the tutelage of Shihan Seiji Kanamura, Mr Maquirang has laid the groundwork for an outstanding martial arts career that has spanned five decades;
 - (d) in 1983 Mr Maquirang taught a physical education course in karate at Regis High School and in 1985-1986 started teaching intellectually disabled students at Young Adult Institute in New York, United States of America;
 - (e) in 1986 Mr Maquirang started assisting classes at World Seido Karate Organisation headquarters in New York City and was an official instructor there from 1987 until 1997;
 - (f) in 1997 Mr Maquirang and his wife, Mrs Leigh Maquirang, herself an accomplished black belt in karate and kobudo, moved to Sydney and began teaching karate;
 - (g) from 1997 to 2019 Mr Maquirang was official branch instructor at Seido Juku Karate Australia in Sydney, receiving approval to expand Seido Karate into Southeast Asia in 2009, as well as being recognised as the Australian Branch Chief from 1999 to 2019;
 - (h) in 2005 Mr and Mrs Maquirang bought and moved to a full-time karate school in Darlington, New South Wales;
 - (i) in 2019 Mr Maquirang founded Jin Sei Ryu Karate-Do International and formed an international network of branches throughout the United States of America, India, and Chile;
 - (j) in 2020, in recognition of his contribution to karate nationally and internationally, Mr Maquirang was awarded a seventh dan black belt and the title of Kancho by the World Martial Arts Championships Council;

- (k) Mr Maquirang is also a fourth dan in Kobudo and a second dan in Naha-te;
 - (l) since 1999 Kancho Ino Maquirang has graded over 400 adult black belts (15 years old plus) and over 200 junior black belts (14 years old and under);
 - (m) throughout his karate and martial arts career Mr Maquirang has been supported by his parents, his sister Nornale Maquirang Almanzer, who is also a second dan black belt, his wife, Shihan Leigh Maquirang, a sixth dan in karate and fourth dan in kobudo, and their son, Senpai Max Maquirang, who is a third dan karate black belt; and
 - (n) Kancho Ino and Shihan Leigh not only teach advanced black belts at their Honbu in Darlington, but make the time to teach numerous school kids karate classes in Sydney and North Sydney each week at Crown Street, Bourke Street, Forest Lodge and Ryde East primary schools, International Grammar School, Waverton church hall and the Fairfield Community Centre.
- (3) That this House notes that:
- (a) from 1974 until 2002 Mr Maquirang had an illustrious career as a competitor in national and international karate tournaments around the world, placing in over 250 tournaments;
 - (b) from 1990 to 1995 Mr Maquirang won the Overall Grand Champion (Sogo) Award, World Seido Karate Organisation;
 - (c) in 1997 Mr Maquirang was inducted into the Blitz Magazine Martial Arts Hall of Fame for Outstanding Kata Performer of the Year;
 - (d) from 1997 to 1999 Mr Maquirang won first Place Forms (Kata), National All-Styles Competition, Sydney, Australia; and
 - (e) Mr Maquirang retired from competition in 2002, but has continued instructing and training individuals and teams for competition as well as refereeing in the Australian Martial Arts Championships and World Martial Arts Championships tournaments since 2019.
- (4) That this House acknowledges:
- (a) Mr Inocencio Maquirang's lifelong dedication to martial arts, budo and his contributions to the community as the Kancho of Jin Sei Ryu Karate-do;
 - (b) Mr Maquirang's generosity, good character, budo spirit and commitment to excellence, which has provided a positive influence on people's lives within New South Wales, Australia and across the world; and
 - (c) it is not merely Mr Maquirang's achievements in martial arts that stand out, but his will to influence and promote values that nurture the development of an individual's good character aiding in the realisation of their potential whilst also enriching their community and society, and for this we thank him, "OSU!".

Motion agreed to.

PREMIER'S READING CHALLENGE

The Hon. MARK BANASIAK (10:06): I move:

- (1) That this House notes that:
- (a) NSW Premier's Reading Challenge has been a very successful and well-participated reading initiative in New South Wales;
 - (b) NSW Premier's Reading Challenge is open to all students across New South Wales from kindergarten to year 10;
 - (c) this reading challenge is not a competition but an open challenge that encourages students to participate at their level, providing the opportunity to enable them to experience quality literature and share love for reading; and
 - (d) reading skills must be fostered from the youngest age to remain for life.
- (2) That this House acknowledges that:
- (a) New South Wales is one of the most diverse States in the world, with more than 283 languages spoken, according to the data from Multicultural NSW;
 - (b) New South Wales is a State of rich diverse linguistic and cultural heritage, where many children speak and understand languages other than English at home;
 - (c) approximately 69 languages are taught in community language schools across New South Wales at the primary school level;
 - (d) enhancing the linguistic skills of students prepares them for a globalised world and assists them with the social, economic and health benefits;
 - (e) the public libraries provide an excellent, free-of-charge multicultural service providing books in languages other than English; and
 - (f) according to latest Australian Bureau of Statistics research there has been a sharp decline from previous generations in reading skills, with only 10 per cent of males, 13.2 per cent of females and 11 per cent of persons in Generation Z actively reading, and that change calls for action so the next generation may have better outcomes.
- (3) That this House calls on the Government to:

- (a) expand the Premier's Reading Challenge reading lists to allow the titles of books in languages other than English to be included that students might read with their families at home in their heritage language, including the Aboriginal languages (First Nations) and cultural storytelling;
- (b) collaborate with linguistic experts, community groups and educational institutions to curate a diverse book collection of high-quality books in various languages through the public libraries network;
- (c) continue to support the multicultural division of the State Library of New South Wales to allow the multicultural collections to grow and continue its great service in supporting public libraries and multicultural communities; and
- (d) ensure the Premier's Reading Challenge guidelines are updated to reflect this inclusive approach, and that teachers and parents are informed of the new multilingual options available to students.

Motion agreed to.

ITALIAN NATIONAL DAY

The Hon. JACQUI MUNRO (10:07): I move:

- (1) That this House notes that Italian National Day was celebrated on 2 June 2024, acknowledging the creation of the modern, democratic State of Italy in 1946 following the fall of fascism.
- (2) That this House congratulates Co.As.It. Italian Association of Assistance, including President Thomas Camporeale, on its successful annual fundraising ball, which was held to raise money to employ a dedicated staff member to provide dementia support for members of the Australian Italian community, who experience a high prevalence of the disease.
- (3) That this House acknowledges that Co.As.It. was established in 1968 to promote the Italian language and culture in New South Wales and to assist the growing number of migrants arriving from Italy, and has grown to offer language classes to adults and children as well as a range of community programs, including aged-care services.
- (4) That this House further notes the attendance of the following people at the Co.As.It. Festa della Repubblica Ball 2024:
 - (a) the Hon. Anthony Albanese, MP, Prime Minister of Australia;
 - (b) His Excellency Mr Paolo Crudele, Ambassador of Italy to Australia;
 - (c) Dr Gianluca Rubagotti, Consul-General of Italy to New South Wales;
 - (d) Senator Francesco Giacobbe, Senator for the Overseas Constituency of Italy representing Oceania;
 - (e) the Hon. Nicola Caré, member of the Chamber of Deputies of Italy;
 - (f) the Hon. Mark Speakman, SC, MP, New South Wales Leader of the Opposition;
 - (g) Jordan Lane, MP, member for Ryde;
 - (h) the Hon. Mark Buttigieg, MLC; and
 - (i) the Hon. Jacqui Munro, MLC.

Motion agreed to.

ANNIVERSARY OF DECLARATION OF PHILIPPINE INDEPENDENCE

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

- (1) That this House notes that Filipiniana Friends Group of Bathurst and Central West, in cooperation with the Philippine Consulate Sydney, Bathurst Regional Council and the Lions Club of Bathurst, celebrated the 126th Anniversary of the Declaration of Philippine Independence on Saturday 1 June 2024 with a flag raising ceremony followed by lunch and afternoon of celebration, culture and entertainment at the St Michael and St John Cathedral parish hall.
- (2) That this House acknowledges:
 - (a) the contribution the Philippine community makes to many small and large communities across the Central West region; and
 - (b) the continued support from the Lions Club of Bathurst for this event alongside the Philippine Consulate and Bathurst Regional Council.
- (3) That this House congratulates Mrs Nenita Lopez-Weekes and the entire organising committee from the Filipiniana Friends Group of Bathurst and Central West for organising a wonderful community celebration in Bathurst for the 126th Anniversary of the Declaration of Philippine Independence.

Motion agreed to.

DONALD JOHN STRACHAN

The Hon. SAM FARRAWAY (10:08): I move:

- (1) That this House notes that Donald John Strachan is an Australian former rugby union international player as Wallaby number 413 who was born in Orange in the heart of the Central West in 1929.
- (2) That this House acknowledges that Don Strachan:

- (a) was one of the finest rugby union players to emerge from the Orange district in the Central West of New South Wales;
 - (b) is described as wiry, raw-boned, tough and a true sportsman with a deep love of the game;
 - (c) was an incredibly fit, powerful and versatile forward who revelled in tight forward play and hard scrummaging;
 - (d) was a front row forward, foundation player for the Orange Emus Rugby Club and toured New Zealand in 1954 with New South Wales Country Rugby and the following year returned to New Zealand as a member of the Wallabies touring party, playing as tighthead prop in the second and third Test matches against the All Blacks;
 - (e) made the most difficult decision of his rugby career after Australian selectors Jock Blackwood and Tom Pauling offered him the chance to captain the fourth Wallabies team to England;
 - (f) lifelong ambition was to tour the United Kingdom; however, he informed selectors that he could not go as his father retired and he held the responsibility for the family farm; and
 - (g) is the patron and last surviving foundation member of the Emus Rugby Club and the oldest living Wallabies and Waratahs player.
- (3) That this House congratulates Mr Don Strachan on representing his country in 1955 as a Wallaby, the highest honour in Australian rugby union, and his contribution to the sport of rugby union through his involvement as a player, patron and supporter to the New South Wales Waratahs, Central West Rugby Union and Emus Rugby Club in Orange.

Motion agreed to.

DAVID WEST AND TYSON SMITH

The Hon. SAM FARRAWAY (10:08): I move:

- (1) That this House notes that:
 - (a) on 11 May 2024 Central West men David West and Tyson Smith cut their hair after growing it out for over two years for a worthy Cancer Council fundraising initiative; and
 - (b) on 1 June 2024 Central West men David West and Tyson Smith laced up their sneakers and hit the bitumen for their 55-kilometre walk from Orange to Bathurst as a fundraiser for the Cerebral Palsy Alliance Research Foundation.
- (2) That this House acknowledges that:
 - (a) David West and Tyson Smith participated in an event called the Ponytail Project, which is a fundraising campaign that first originated in 2015 at St Margaret's Anglican Girls School in Ascot, Brisbane;
 - (b) in 2023 over 1,400 people raised over \$1,135,000 for Australian families affected by cancer;
 - (c) every ponytail chopped will make a difference to the lives of people affected by cancer; and
 - (d) David West and Tyson Smith are passionate about making a difference in the lives of individuals living with cerebral palsy and that is why they have organised this fundraising walk to raise vital funds for this incredible organisation.
- (3) That this House congratulates David West and Tyson Smith for completing the 55-kilometre walk from Orange to Bathurst without injury, supporting both the Cerebral Palsy Alliance Research Foundation and Cancer Council Ponytail Project, raising vital funds for worthy charities making a real difference to people and communities in New South Wales.

Motion agreed to.

RECYCLED LANDSCAPING PRODUCTS

Ms SUE HIGGINSON (10:08): I move:

- (1) That this House notes that:
 - (a) an Environment Protection Authority report on recycled landscaping products identified an industry-wide deficiency in how contaminants, including lead and asbestos, were being regulated in 2013;
 - (b) an Environment Protection Authority investigation into recycled landscaping products in 2019 reached similar conclusions to the 2013 report and discovered asbestos in 57 per cent of facilities producing the products; and
 - (c) reforms to the regulation of recycled landscaping products were abandoned by the Environment Protection Authority in 2022 due to pressure from commercial interests.
- (2) That this House further notes that:
 - (a) asbestos was discovered in landscaping products across schools, hospitals and parks in January 2024;
 - (b) further investigations by the Guardian Australia have discovered that:
 - (i) private laboratories have been re-testing recycled landscape products when requested to by their clients due to samples recording positive results for contamination;
 - (ii) soil products being sold in household gardening shops in New South Wales have contained contaminants including glass, metal and asbestos; and

- (iii) recent changes to the law have not prevented unsafe recycled landscape materials from being distributed in the community.
- (c) more work is required to prevent harmful materials from being spread across New South Wales through recycled landscaping products.
- (3) That this House calls on the Government to take action as necessary to prevent contaminated products from being produced and sold in New South Wales and to ensure that the Environment Protection Authority has the resources necessary to stop asbestos from being spread across communities.

Motion agreed to.

1ST DUBBO SCOUT GROUP

The Hon. STEPHEN LAWRENCE (10:09): I move:

- (1) That this House notes that:
 - (a) on 18 May 2024 the 1st Dubbo Scout Group, part of Scouts NSW, held an event at the Minnamurra regional scout camp hall and activity facility to mark and celebrate the completion of considerable works;
 - (b) attendees included the Hon. Stephen Lawrence, MLC, representing the Minister for Regional New South Wales, the Hon. Tara Moriarty, and the member for Dubbo, Mr Dugald Saunders, MP;
 - (c) these works were funded in part by a State Government grant of \$291,954 and were also completed and made possible by volunteer contributions from a range of community members and businesses; and
 - (d) the improvements included re-roofing, asbestos removal, gyprock and painting, new flooring, doors and windows, construction of a deck with accessible ramps and replacing the external walls around the amenities block and upgrading those facilities.
- (2) That this House further notes the contribution made by the scouting movement and Scouts NSW in helping young people engage in a range of activities that build skills, confidence and self-esteem.
- (3) That this House congratulates all involved in the upgrade of the Minnamurra facility, including in particular 1st Dubbo Scout Group leader Vaughan Simmons, who led the work and makes an incredible community contribution through his leadership role.

Motion agreed to.

TRIBUTE TO PROFESSOR LYNDALL RYAN, AM, FAHA

The Hon. STEPHEN LAWRENCE (10:09): I move:

- (1) That this House notes that:
 - (a) on 30 April 2024 Australia lost one of its foremost historians with the death of Professor Lyndall Ryan aged 81 years;
 - (b) upon her death the Australian Academy of the Humanities described Professor Ryan as "a pioneering and highly influential Australian historian, whose work recast and reconceptualised the historical experiences of Aboriginal people in colonial and postcolonial contexts";
 - (c) Professor Ryan completed a PhD at Macquarie University in 1975, and her thesis was titled *Aborigines in Tasmania, 1800–1974 and their problems with the Europeans*;
 - (d) following her PhD, Professor Ryan published her first book called *The Aboriginal Tasmanians*, which documented the history of Tasmanian Aborigines from first colonisation to the present;
 - (e) she was later interviewed about her pioneering work on the Tasmanian Aborigines and said, "People had assumed that Tasmanian Aborigines had died out, but what we discovered was that, in fact, they were well and truly alive";
 - (f) Professor Ryan went on to make, over decades of academic work, a particularly important, durable and profound academic and social contribution to Australian understanding of colonial frontier violence;
 - (g) this work included important work as a member of the University of Newcastle's Centre for the History of Violence; and
 - (h) the Australian Historical Association stated, "Few in our profession have had a greater impact on the way Australians understand their collective past."
- (2) That this House extends sympathy to her loved ones.

Motion agreed to.

RED SHIELD APPEAL

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

- (1) That this House recognises the significant contribution of the Salvation Army, an organisation that has been providing shelter, safety and support to Australians for over 140 years.
- (2) That this House commends the Salvation Army for organising the annual Red Shield Appeal, now in its sixtieth year, which has become a cornerstone of community support and charitable giving in Australia.

- (3) That this House acknowledges that the Salvation Army Red Shield Appeal over the past year has helped over 250,000 people and dispensed financial assistance worth almost \$25 million to those affected by the cost-of-living crisis, disasters and various hardships.
- (4) That this House recognises the Salvation Army Rouse Hill being amongst the many Salvation Army Corps involved, together with 100,000 volunteers, including the thousands of schools and students across New South Wales and the many members of the Parliament who help make the Red Shield Appeal a success each year.

Motion agreed to.

Committees

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Membership

The Hon. PENNY SHARPE: I move:

That the Hon. Aileen MacDonald be discharged from the Committee on Children and Young People and the Hon. Natasha Maclaren-Jones be appointed as a member of the committee.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Membership

The Hon. PENNY SHARPE: I move:

That the Hon. Natasha Maclaren-Jones be discharged from the Committee on the Health Care Complaints Commission and the Hon. Aileen MacDonald be appointed as a member of the committee.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

Motions

TRIBUTE TO NANCE LONEY

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:11): I move:

- (1) That this House celebrates the life of Nance Loney and mourns her passing in 2024.
- (2) That this House recognises the lifetime service of Nance to her community, the New South Wales Labor Party, activist groups such as Citizens for Democracy, the Labor Women's Conference, the nuclear non-proliferation movement, Eastern Suburbs Friends of the ABC, Labor for Refugees, and many other social justice causes.
- (3) That this House remembers Nance as a feminist, friend, unionist and steadfast activist who was defined by her intellect, loyalty and generosity.
- (4) That this House passes on the deepest of condolences to Nance's family, friends and comrades.

Motion agreed to.

Bills

NATIONAL PARKS AND HERITAGE LEGISLATION AMENDMENT BILL 2024

First Reading

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

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

Statement of public interest tabled.

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

The PRESIDENT: The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

Committees

REGULATION COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES: I table the report of the Regulation Committee entitled *Delegated Legislation Monitor No. 5 of 2024*, dated 5 June 2024.

Documents

UNPROCLAIMED LEGISLATION

The Hon. PENNY SHARPE: According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 4 June 2024.

Bills

ALCOHOL CONSUMPTION IN PUBLIC PLACES (LIBERALISATION) BILL 2024

First Reading

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

Second Reading Speech

The Hon. JOHN RUDDICK (10:25): I move:

That this bill be now read a second time.

The Alcohol Consumption in Public Places (Liberalisation) Bill 2024 introduced by the Libertarian Party will restore ancient rights that have been enjoyed by many free societies for millennia. This is the right of individuals to consume alcohol in public places. Ancient humans likely learnt of alcohol around 30,000 years ago. Alcohol has forged a relationship with cuisines and cultures around the world. It is not something to fear but something to embrace as part of a healthy social life. Few are aware that consuming alcohol in public is an offence in New South Wales and they carry on drinking. For those who are aware of the law, it is a nervous game of looking over one's shoulder for cops, council rangers or self-appointed killjoys. Go to any park or beach in Sydney during good weather and you will find law-breakers consuming alcohol, whether it is a family picnic, a group of friends or an old man having a quiet one.

The Hon. Mark Buttigieg: Shame.

The Hon. JOHN RUDDICK: Absolutely. These are unconscious rebels practising what they believe to be their right because it so obviously is a perceived normal social practice. With such little adherence to the current legislative arrangements, why retain them at all? Let us do away with the puritanical anachronisms of the past and instead embrace personal liberty, responsible consumption and individual choice. The bill is modelled on Italian legislation, where the legislative default is to allow public consumption. There are local ordinances that restrict consumption in special locations, but they are the outliers and not the norms. The bill recognises there are places of religious and cultural significance where alcohol should not be consumed out of respect, such as at the Anzac Memorial in Hyde Park or a place of religious worship. Instead, there is an existing allowance for the consumption of alcohol to be determined by the governing authority, like any other private property.

The bill confers the right to drink in public places, including public places defined under the Crown Land Management Act 2016 and the Local Government Act 1993, and land held by a statutory body or a New South Wales government agency, but not including a road within the meaning of the Roads Act 1993 unless recreational activities are permitted on the road. Public drunkenness ceased being a crime in New South Wales in 1979. It should not be an offence to be drunk in public. Most can be inebriated and remain civil. A small but prominent minority will become louts, so the bill defers to the existing legislation and penalties under the Summary Offences Act 1988 and the Law Enforcement (Powers and Responsibilities) Act 2002 in part 9, while also conferring new drinking rights under part 7. Public authorities will still have existing powers to take action against public antisocial behaviour.

Puritanical controls over society do not work and have instead resulted in an unhealthy binge drinking culture that haunts Australia to this day. Australian history is a good guide as to why the bill is so necessary. The Australian temperance movement sought to prohibit alcohol from society entirely as early as the 1870s. Their American counterparts eventually were successful temporarily in the 1920s, but Australia never embraced full prohibition.

The Australian temperance movement did, however, have some so-called wins. It persuaded State governments around Australia to introduce six o'clock closing hours for pubs during the First World War as a means by which to support the war effort. The six o'clock closing hour was declared as a temporary measure but, like with many government temporary measures, it was permanent for decades. The unintended consequences of this wowsersism resulted in daily binge drinking by workers who clocked off in the afternoon and then rushed to the pub to drink themselves silly before six o'clock, a practice that became known as the six o'clock swill. The worst excesses of our binge drinking culture were born by wowsersism and government overreach. Former writer for *Atlas Obscura*, Natasha Frost, writes:

If six o'clock closing sought to limit alcohol consumption in Australia and New Zealand, it failed dramatically. In the first three years after its introduction in New Zealand, annual beer consumption per capita rose by over 40 per cent. Over the 47 years that followed, it ballooned by around 300 per cent.

Assaults skyrocketed and domestic violence became commonplace. It took many decades for the six o'clock swill in New South Wales to end, but the idea of a repeal was hotly debated. This prohibitive practice started in 1916 and ended as late as 1955. According to modelling on alcohol consumption among persons aged 15 and above in litres per capita per year, Australia is ranked the thirty-fourth highest consumer of alcohol in the world, which is not particularly high. We are far below the top drinkers such as Germany, ranked eighth, France, ranked eleventh, or Belgium, ranked thirteenth, and yet these countries and others such as Italy allow for public drinking with little to no impact on violent crimes with alcohol cited as a factor. Thanks to the COVID-caused inflation, the cost of drinking in a pub has become a privileged act that only those on a good income can afford. I recently paid \$14.50 for a pint in the CBD.

The Hon. Sarah Mitchell: Shame!

The Hon. JOHN RUDDICK: Absolutely. Shocking. It is the fault of members in this Chamber. They gave us all the COVID mania and all the spending. Members on both sides of the Chamber gave us the inflation.

Ms Sue Higginson: Not this side.

The Hon. JOHN RUDDICK: I think The Greens were pretty supportive of COVID mania. Tourism revenue in Sydney alone amounted to \$14.6 billion in 2023, but as recently as 2019—pre-COVID—this figure was \$19.5 billion. The so-called pandemic set Sydney tourism revenue back \$5 billion. Sydney is the gateway to Australia. When tourists think of Australia, they think of Sydney. If we want them to keep coming back and keep telling their friends how much fun Australia is, we need to make Sydney the social scene of the South Pacific. But it is risking a reputation for dullness. We must do more to make Sydney great again. Our CBD and harbour foreshore should be the party capital of the world.

I support decentralised government, so I am normally on the side of local councils, but not when it comes to the restriction of personal liberties and freedoms. That is why my bill would override local government control on alcohol prohibitions. Many councils are not willing to embrace trust in their residents to behave responsibly. I welcome the City of Sydney's decision to overturn a renewal of 379 alcohol-free zones in the LGA. Lord Mayor of Sydney Clover Moore said:

We have spent a lot of money and effort encouraging people to return to the City post-pandemic, giving people ways to have a good and safe time outdoors through our Sydney Streets and al fresco dining programs.

We also need to make sure that people who cannot afford to go to pubs and licenced outdoor events have the same right to enjoy a drink with friends in our outdoor spaces.

Well said, Clover Moore. I believe that the outcome of this review that the City of Sydney is undertaking will be made publicly available sometime in June. I am interested in those findings because they may positively inform debate in this Chamber when we debate the bill later in the year. I note that the decision to not renew the 379 alcohol-free zones in the Sydney local government area was passed by a motion introduced by Independent Councillor Waskam Emelda Davis. I congratulate Councillor Davis for her convictions. Councillor Adam Worling made a notable contribution. He said:

But what if staying home isn't an option? Maybe you're at risk. Or you simply want to have some sunshine and drink with friends and socialise outside. I think we should be more trusting of our residents rather than continuing such a heavy handed approach.

Well said. Nanny state prohibition must end. This obvious reform will make New South Wales more fun for locals and visitors, bring in more tourism revenue, improve safety for families by changing our cultural relationship with alcohol and make Sydney fun again. I commend the bill.

Debate adjourned.

**ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (DISALLOWANCE OF
TRANSPORT ORIENTED DEVELOPMENT SEPP) BILL 2024**

First Reading

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

Second Reading Speech

The Hon. SCOTT FARLOW (10:35): I move:

That this bill be now read a second time.

On behalf of the Opposition, I introduce the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024 to the House. The purpose of the bill is to amend the Environmental Planning and Assessment Act 1979 to enable the State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024—the TOD SEPP—to be subject to sections 40 and 41 of the Interpretation Act 1987 and thereby be disallowed by Parliament. The Coalition supports measures, including increasing density along transport corridors, to meet ambitious housing targets, but they must be done right and in consultation with local communities. This has not been the case with the Transport Oriented Development State Environmental Planning Policy, which provided no opportunity for community consultation—

The PRESIDENT: The Leader of the Government will cease interjecting.

The Hon. SCOTT FARLOW: —despite increased community participation being an object of the Act, and no explanation of intended effect, despite the provisions of section 3.30 of the Environmental Planning and Assessment Act. We have said from the very beginning that the right approach is to set housing targets for local councils and allow them, in consultation with their communities, to design how those targets will be met and provide them with financial incentives to meet and beat those targets. If councils fail to develop planning policies to achieve those targets, then that is the appropriate time for the State to implement planning controls such as the TOD SEPP, not before. As members would be no doubt aware, environmental planning instruments [EPIs], including local environmental plans [LEPs] and State environmental planning policies, cannot be disallowed by Parliament, unlike other statutory rules. The bill does not seek to overturn that prohibition; it is strictly limited in its application to the provisions of the housing SEPP, which commenced on 13 May 2024.

The PRESIDENT: The Leader of the Government does not like it when Opposition members interject during question time, so she will cease interjecting now.

The Hon. SCOTT FARLOW: The passage of this legislation does not automatically disallow the TOD SEPP but gives the House the power to disallow the provisions of the TOD SEPP with a further motion of the House within 15 days of the commencement of this Act. The Transport Oriented Development Program in part uses a SEPP to rezone land within a 400-metre radius at sites around 37 train and metro stations to increase housing density. The TOD SEPP was gazetted on 27 April 2024 and commenced on 13 May 2024 for 18 of the 37 sites. The controls for the other 19 sites will be progressively finalised before June 2025. The Minns Labor Government's transport oriented development planning laws came into force at 18 sites last month after being imposed on communities without any opportunity for consultation and no additional funding to address infrastructure needs and essential services—not one dollar.

In another case of politics over planning, we have already seen the Minns Labor Government delay the SEPP's implementation in some precincts to June 2025. That disallowance motion would provide all communities the same opportunity that Labor has offered to its mates. The Minns Labor Government has now provided councils with its overdue housing targets. From the outset we have said that councils should be given the opportunity to design how they meet those targets, with sanction if they refuse to do so. The TOD SEPP program has gotten this the wrong way around from the beginning, and that has been shown by the number of sites where delays have already been put in place. Local communities are best placed to determine where development should go in their communities, and they should be given the opportunity to design how they will meet their housing targets to suit their needs.

The Coalition is moving this legislation so that Parliament can have the power to disallow this specific SEPP where there has been no community consultation and the Government has denied communities the opportunity to design how they will accommodate new housing in their areas, especially where it is imposed

without a single dollar of infrastructure funding to support this growth. Labor is riding roughshod over local communities and ignoring legitimate concerns about funding to improve infrastructure to support this new housing. The first anyone had seen of this SEPP and its precise application was its publication in the *Government Gazette*. Our issue is with the arrogant approach of the Minns Labor Government, which has abandoned its duty to consult on such significant changes in planning policies. Members of the public were not even given the courtesy of being informed as to whether their house was covered by this policy or not.

With the application of the one-size-fits-all approach of 400-metre circles around 37 stations, we have seen clumps of houses where the policy applies and one home sticking out where the policy applies due to a driveway that is in the radius. This is not proper planning, and it should not be how we design communities in our State. Many of the areas where this policy applies at present have significant heritage conservation areas where this policy, according to the Government's own messaging, will "result in significant change". The National Trust has expressed that this SEPP, along with Government's other one-size-fits-all planning changes, constitutes "the biggest threat to the heritage of New South Wales that have ever been proposed".

With the removal of the TOD SEPP, communities could work to preserve their heritage character and seek to identify other areas for development or increase densities in other parts of their zones. This is an opportunity that should be afforded to all communities and not just the Government's chosen few. The motivation seems to be more about politics and the upcoming local government elections than about planning. Given the opportunity, councils may determine to increase densities to greater than 22 metres in some areas and preserve other portions of these zones. Councils may also seek to increase the intensity of development in a zone that is greater than 400 metres in one direction and preserve parts within the 400 metres in another. Local communities understand their communities best, and they should be afforded this opportunity. The Government has put the cart before the horse with regard to its planning policies, which is seen with the introduction of the TOD SEPP.

The PRESIDENT: The Leader of the Government and the Deputy Leader of the Government will cease interjecting or they will be called to order.

The Hon. SCOTT FARLOW: The Minns Labor Government told councils this SEPP will be in place until councils have finalised strategic planning and rezoning. Generally, it should be the other way around. The Coalition believes in allowing councils to first have the opportunity to formulate their own plans to achieve meaningful increases in housing supply, as informed by their community, rather than having a one-size-fits-all approach imposed across the Six Cities Region.

Since day one this Government has been intent on telling local communities to get out of the way. This TOD SEPP implemented with no community consultation, no notification or identification to impacted property owners and not a cent of infrastructure funding typifies this approach. While these areas are earmarked for more than 175,000 new homes, the Minns Labor Government is not outlining any additional funding to build and upgrade infrastructure and essential services needed to support the increased population projected in these areas due to intended development from the TOD SEPP. We need to build more homes, but we cannot have people sitting in traffic for longer, being unable to send their kids to local schools because of capacity constraints and struggling to fit into the train carriage in peak hour.

The Hon. Wes Fang: Point of order: I am listening intently to the member's contribution, but the interjections from the Leader of the Government and the Deputy Leader of the Government are incessant and very noisy. I ask you to call them both to order.

The PRESIDENT: I have made that point a number of times. I am sure they will cease interjecting from this point forward.

The Hon. SCOTT FARLOW: The Premier and the Minister for Planning and Public Spaces cannot have a housing plan without a plan for upgraded infrastructure in all areas that are experiencing additional growth. We support increased housing but, in an environment where the feasibility of development is the biggest issue holding back housing supply, the Government has made matters worse with the introduction of the Housing and Productivity Contribution—a \$12,000 tax on every new home in Sydney. This is all while construction costs have risen by one-third since 2020, interest rates have risen 425 basis points and more than 1,200 construction companies in New South Wales have entered administration or had a controller appointed in the past 12 months. This is not the way to increase housing supply in our State, and the Government's approach so far has been more about politics than planning.

I now turn to the detail of this legislation. Environmental planning instruments are local environmental plans and State environmental planning policies that are made under the Environmental Planning and Assessment Act 1979, which are not considered to be disallowable instruments. This specific legislation would alter the Act in order to specify that the contents of the State Environmental Planning Policy (Housing) Amendment (Transport

Oriented Development) 2024, which commenced on 13 May 2024, could be disallowed by Parliament. A disallowance motion would still need to be moved within 15 sitting days from the commencement of the Act.

In schedule 1 to the bill, the Environmental Planning and Assessment Act 1979 would be amended to enable the disallowance of the TOD SEPP and it outlines that sections 40 and 41 of the Interpretation Act 1987 apply in the same way they do to a statutory rule, and that either House may pass a resolution disallowing the SEPP. For an abundance of clarity, the provisions of this bill would only apply to the provisions of the TOD SEPP and to no other EPIs or the broader provisions of the housing SEPP.

Under the bill, either House of Parliament may pass a resolution disallowing the TOD SEPP if notice is given to the House within 15 sitting days after the commencement of the amending Act. As the TOD SEPP amended the housing SEPP, the bill makes it clear that any disallowance motion would not disallow the housing SEPP, but instead restore the housing SEPP as it was immediately before it was amended by the TOD SEPP. This would take effect on the day on which the TOD SEPP is disallowed. The bill also provides for definitions of the amending Act, housing SEPP and TOD SEPP.

The Coalition supports ambitious increases to housing in our State, but running roughshod over local communities, providing no information to impacted residents and providing no infrastructure funding to support increased densities governed by a circle on a map is not the way to do it. The right way is to provide councils with their housing targets, which the Government has now belatedly done, and allow them in the first instance to have the opportunity to design how these will be met. If passed, the bill before this House and a subsequent disallowance motion will enable all communities to have the opportunities the Government has already afforded to some communities. I commend the bill to the House.

Debate adjourned.

Documents

PUBLIC SCHOOLS SEXUAL ASSAULT

Production of Documents: Order

The Hon. SARAH MITCHELL (10:46): 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 26 March 2023 in the possession, custody or control of the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney or the Department of Education relating to sexual assaults at public schools:

- (a) all documents relating to the international evidence review on managing sexual assaults commissioned by the Department of Education from the University of New South Wales;
- (b) all documents relating to any legal bulletins or updates on sexual offending in schools;
- (c) all documents regarding a review of problematic and harmful sexualised behaviour guidelines;
- (d) all documents regarding a review of sexual assault policies by an outside legal firm;
- (e) all documents regarding any internal and external consultation on updated guidance for schools on managing sexual offending; and
- (f) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This is not a call for papers that I move lightly. I think it is my first call for papers in the education space since we have been in opposition. I move this motion because this is a really serious and complex issue. We need to be assured that due attention is being given to these issues by the Department of Education, by the Minister for Education and Early Learning and by the Government. From my time as the former education Minister, I know that challenging circumstances often arise that impact school communities. I can think of no circumstance that is more concerning than allegations or instances of sexual assaults, either on school sites or off school sites, that impact students and staff. When I was Minister, there were unfortunately occasions where this occurred. Particular cases stay with me in terms of how they were managed, how the best supports were in place for the alleged victim and also how any allegations against the perpetrator were controlled properly.

I realise that these are sensitive and complex matters. The reason I am moving this motion is that I am keen to understand what work has been done in this space since the Labor Government was elected. The motion clearly sets out the elements of information that I am seeking. I firstly talk about the international evidence review on managing sexual assaults in schools. When I was Minister, the University of New South Wales was engaged on the back of some of these complex cases to come back to the department with advice around what is world's best practice, how do we manage these very serious and complex situations and are there better guidelines and supports for school communities. Members know from media reporting, particularly articles by Jordan Baker in *The Sydney Morning Herald*, that the department has had that advice for a year. We understand that updated guidelines are

being developed within the department for school communities. There was also an indication from the Ombudsman that they needed to have better guidance going out to school communities about how schools manage this and how they work with police.

This really is about getting to the bottom of what is happening within the Department of Education and where this updated guidance and these updated legal bulletins are. We are aware that some work is being done on sexual assault policies, we understand, by an outside legal firm. Again, these documents are from within the Department of Education. I know that work is being done at a senior level to really understand what is happening, when this information will be going out to schools and what that information will contain. Recently, on 17 May, the Minister was quoted in *The Sydney Morning Herald* as saying that this guidance is currently in its final stages of consultation and that they look forward to sharing it with school leaders soon. The department has said that the guidelines are due to be finalised, and extensive consultation is underway. That is what we want. We want to know what work the department is doing internally on this, what the potential changes are that might be coming to school communities, and what information is being provided.

I will obviously not provide any identifying information, but two families in separate areas of the State have contacted me within recent months about horrific things that have happened to their children at school. They have not been short of praise, particularly in one school, for the support from the teachers; in the other school, unfortunately, it has not been a great experience for that parent and for that child. These are the realities of what our school communities deal with. As I said, I appreciate wholeheartedly that they are complex and sensitive issues, but I am concerned when parents are calling me, saying, "These things are happening to my children on school sites," and there is no advice and no way to manage it.

These are not new issues. These issues arose when I was the Minister. The intention during my time in the role was to get that expert advice and to start to implement it in schools. My concern is that literally nothing appears to have happened in this space under this Government. That is what we want to get to the bottom of. We want to understand what it is that those teams within the Department of Education are working on, what advice will be going out to schools and when it will be coming. We want a copy of the report that the department commissioned from the University of New South Wales into these issues. We want to see any updated legal bulletins. As I said, the Minister has publicly said that it is close to being ready and that it is in its final stages of consultation. We do not believe that this is an unreasonable call for papers. I encourage the House to support it.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (10:51): At the outset, I acknowledge that this is a serious issue. This Government takes the issue of sexual assaults at public schools absolutely seriously. The Government will not oppose the call for papers. However, on such an important issue, I thought that the member and I would be able—as we did in our previous roles when I was on the other side of the House and the former Minister was on this side of the House—to come to agreement to limit the scope of the Standing Order 52 motion to make sure that the documents that are produced will actually be what the member is after, that we provided a reasonable time frame and, most importantly, that we did not impose an undue burden on our schools. Our schools do important work each and every day, and I am disappointed that the Opposition did not agree to slightly extend the time period and to limit the impact on schools. However, that is ultimately in its purview.

I assure the House that the safety of all students is paramount for the New South Wales Government, and support will be provided to any victim of abuse, in collaboration with New South Wales police. I also take this opportunity to reaffirm the New South Wales Government's ongoing commitment to implement major reforms to prevent child abuse, to improve responses to reports of abuse, and to ensure that survivors receive appropriate support, redress and justice. To the extent that the Government is able to provide the information that the member is seeking, of course it will do that. The information relates broadly to reviews and guidance material relating to sexual assaults or problematic or harmful sexualised behaviour at public schools and related management policy and guidance materials.

I advise the House that, in response to the proposed order, clarification was sought that it was not intended to apply to documents held at an individual school level. This House has great powers to produce documents, and they are important powers, but I make the point that we also have to balance that against the burden that producing documents places on our schools. The Government wants to be responsive and transparent about the order for papers, and it also wants to proactively protect our schools from unnecessarily imposing on them a significant administrative burden. This is an important issue. It is certainly one that this Government takes seriously, and it will not oppose the motion under Standing Order 52 today.

Ms ABIGAIL BOYD (10:55): On behalf of The Greens, I speak briefly to indicate that we support this Standing Order 52 motion. This is something that has gone on for way too long. I acknowledge what the Government has said about this being in progress, but my understanding is that it has been quite a long time now and we still do not have this in place. Given the significance of the issue as well as the information that has been

given to my office by the mover of this motion and her longstanding concern—I think we had our first conversation with the Hon. Sarah Mitchell about this issue at some point last year—I think quite a lot of patience and restraint has been shown by the Opposition before we got to this point. For those reasons, The Greens will support the motion.

The Hon. SUSAN CARTER (10:56): This is one of the most important issues that faces parents, schools, children and the community. We want to make sure that parents have the greatest confidence in the school when they send their children to school. We want to make sure that our children are safe. Sadly, significant concerns have been raised in the community about whether in fact our children are as safe as we would want them to be in our schools. It is entirely appropriate that this Parliament is able to see the work that is being done to ensure the protection of our children to be able to determine what best practice would be and to look, in particular, at what other solutions could have been considered so that they may be implemented.

We acknowledge the words of the Minister relating to the burden that producing some of this information may place on some schools. But this is a matter of balancing burden and risk. This is not a matter of saying, "How much time will it involve with school? Is it something that could be addressed in another way?" This is a matter of balancing the burden of finding some records with the risk to our children being exposed to sexual assault and, frankly, with the risk of parents becoming so concerned about what is happening in schools that they lose faith and lose confidence in the school system. That is the last thing any of us want.

If we are looking at that balance of burden and risk, the balance falls heavily in favour of the production of these documents, the safeguarding against these risks and the maintenance of confidence by everybody involved in the education system itself. In fact, I use that word "safeguarding" advisedly. It has become an important term, and everybody involved in education—parents, volunteers, teachers—has become very aware of the importance of safeguarding our children. This Standing Order 52 motion is an action related to safeguarding, maintaining safeguarding, and ensuring that our schools are healthy, happy places where healthy, happy children can grow and prosper, which is exactly what we want. This is not a fishing expedition; this is a safeguarding expedition. I commend the motion to the House.

The Hon. SARAH MITCHELL (10:59): In reply: I thank members for their contributions. Noting the time, I can assure those playing at home that this will be complete by question time. This is a really serious issue. As Ms Abigail Boyd said, it is something that I have taken seriously for a long time. I pick up on the point the Hon. Courtney Houssos made. Having been on the other side of these motions, I know it is very important that department legal teams listen carefully to the words of the moving member. I have structured this motion in a way that is very much designed to capture the documents and work that is being done within the department.

It is not my expectation or understanding that the individual schools would have information on the university review or all the external consultation and legal advice, so I am comfortable with the wording. Obviously, there are processes the Government can use after the passing of the motion if it finds any problems. We would be happy to discuss those, but I feel confident that the wording as it is will get across the information that we need without placing an unnecessary burden onto schools. I commend the motion to the House.

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

Motion agreed to.

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

Visitors

VISITORS

The PRESIDENT: I welcome to the gallery Ella Walsh, a student of the University of Sydney interning in the office of the Hon. Cameron Murphy.

Questions Without Notice

PATHWAYS TO COMMUNITY LIVING INITIATIVE

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Minister for Mental Health. The Black Dog Institute has described as "atrocious" the cut in funding to the Pathways to Community Living Initiative from \$160 million to \$40 million. How can the Minister justify a reduction from 230 to 20 places for the patients with complex issues who could have been helped by this program?

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) (11:01): I thank the honourable member for the question. To start off, I indicate how supportive I am of the Pathways to Community

Living Initiative. It is a really excellent initiative to provide the admittedly small number of people who have very complex mental illness with supported accommodation in the community. These are people who really struggle to live independently. They often end up in our prisons, on our streets and in our hospitals long term. We want to support them to live independently in the community. That is what this program is for.

The potted history of this project is another example of what happens when a new Minister comes into government and is handed an unpleasant sandwich associated with bowel movements, the colloquial term for which is not appropriate for the *Hansard*. The Minister finds out that, before they were appointed, a tender was sent out for a program for which the NSW Health budget allocation was about \$80 million. The tender documents referred to a number higher than that, and it was a combination of assumed funding. None of the Commonwealth funding was confirmed, and the assumed recurrent funding was a little bit like a budgetary version of asking for forgiveness, not permission. I assume the current Treasurer is not an advocate of funding programs that do not actually have a recurrent component. There was no actual recurrent funding associated with the program at all. It also assumed a contribution from a community housing provider.

What then appears to have happened quite quickly as a result of those negotiations on that tender—and, again, this was prior to my time as the Minister—was that it fell over, partially because so many of the assumed funding components were mythical funny money that was not actually in the budget and there was no community housing provider who could meet the elements of the tender. The whole project fell over because the actual NSW Health budgeted contribution was only around \$80 million. All the rest of it was cobbled together based on wishes, hopes, prayers and assumptions. When I came into government, I said that is the money that was there. Not a cent has been cut from it. Not a cent has been removed from the actual amount in the budget. In fact, what we have done is not remove a cent but add the recurrent funding for the first time. This project, which never had a dollar of recurrent funding, now has \$40 million of recurrent funding associated with it. That is the actual history of this project.

The Hon. DAMIEN TUDEHOPE (11:04): I ask a supplementary question. On Tuesday, while the Minister was announcing the \$40 million funding for the Pathways to Community Living Initiative, NSW Health was emailing service providers to advise them of cuts to funding for this vital service and that there would now be a detailed planning process to reduce the scope and costing of the scheme. Why, in the middle of a mental health crisis, is NSW Health reducing the scope of a vital scheme like the Pathways to Community Living Initiative? How long will this detailed planning take to reduce the number of places from 230 to 20?

The Hon. Penny Sharpe: Point of order: It was a very interesting question, but it was definitely not seeking elucidation of the Minister's answer. It is a brand new question. Maybe the Opposition should ask this as its second question.

The Hon. Damien Tudehope: To the point of order: I refer you to the first question, and to the Minister's answer, which were directly relevant to this program and to the cut in these places. The supplementary question is seeking additional information in relation to the position of NSW Health, which the Minister alluded to in her answer.

The Hon. Penny Sharpe: Further to the point of order: The supplementary question introduces new material that was not in the original question and was not necessarily linked to the answer that the Minister gave. If we really want to get into it, there is also argument in the supplementary question that should be ruled out of order.

The PRESIDENT: The question is very close to the line, but I allow significant latitude in supplementary questions. I allow the question.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:06): The supplementary question gives me a chance to elucidate what happened with the original tender process, because the rescoping that the Hon. Damien Tudehope refers to is the revision in the scope of the December 2021 tender to now. There was a revision in scope; I accept that point. What is really important to indicate, once again, is that the revision was necessary because the December 2021 tender was based on fantasy.

I have asked NSW Health why it did that. Why did they send out a tender document in which, sure, they had \$80 million—and that is still there and not a cent has been cut from it—but none of the rest of the money was real? They were assuming the Commonwealth would contribute. They were assuming that community housing providers would be able to do their piece. They were assuming recurrent funding, of which not a dollar has ever been committed, would be committed. I asked them, "Why did you do that?" They said, "Yeah, we probably shouldn't have done that." Fair enough they should not have done that. Yes, there was \$80 million there. It is still

there and the Government will deliver that. But it was an unbelievable decision to raise expectations about a scheme when the Opposition had not done the work to get the recurrent funding committed.

This is an important program. The Government wants it rolled out. The Government will do everything it can to deliver as many beds under this program as it has budgeted for, but that budget is exactly the same as the budget under the previous Government. In fact, it is more because, on top of the \$80 million that, the previous Government budgeted—which this Government has kept and not cut a dollar from—the Government has added recurrent funding for the first time. There is no point having a bed if there is no recurrent funding for staff to service it. What is the point of a bed with no staff? The recurrent funding is there for the first time for this program. It never had a dollar before, and now it has \$40 million, and the beds can actually be serviced, which I think is a pretty significant contribution.

The PRESIDENT: I welcome students from the Secondary Schools Student Leadership Program, who are hosted today by the Parliamentary Education and Engagement group, to this particularly lively question time. You are all very welcome indeed.

HOUSING SUPPLY

The Hon. GREG DONNELLY (11:08): My question without notice is addressed to the Treasurer. Will the Treasurer update the House on what the New South Wales Government is doing to address the housing crisis, and are there any community concerns?

The Hon. DANIEL MOOKHEY (Treasurer) (11:09): I thank the member for his question. I, too, welcome the student leaders to the gallery. I encourage them to study hard and, if that does not work out for them, I encourage them to try politics as a vocation. It is apt that we have student leaders in the gallery as we speak about the housing crisis, which fundamentally, unless this Parliament acts, they will inherit. Since we have come to power, we have demonstrated the action that a government can take to ensure that our children and grandchildren have the same right to own a home, rent a home or get access to social housing if that is indeed what they need. That is why it was such a surprise to see members opposite, having failed for 12 years to build the homes we need, overnight and without any notice or consultation whatsoever, try to bring an end to the attempt to make sure that our kids and grandkids can have a roof over their head. That has created community concern. The fact that those opposite wish to use this Parliament to bring an end to that agenda without any alternative plan has created tremendous community concern.

The Hon. Jeremy Buckingham: Point of order—

The PRESIDENT: Order! The Hon. Scott Farlow will cease interjecting, particularly while a member is trying to take a point of order.

The Hon. Jeremy Buckingham: It is impossible for crossbench members to hear this important answer from the Treasurer. It is a very important issue. We cannot hear, particularly because of the constant interjections from the Leader of the Opposition. Mr President, I ask you to ask him to come to order and be quiet.

The PRESIDENT: Although the Treasurer is being mildly incendiary, I uphold the point of order. Opposition members will refrain from interjecting as it is disorderly at all times. The Treasurer has the call.

The Hon. DANIEL MOOKHEY: "Mildly incendiary"—I will take that as a challenge. In terms of the community concerns, one person is concerned about the recklessness of the Opposition. This morning they said that the New South Wales Parliament should "support policies that will boost housing supply and reject legislation from the Opposition that would allow parts of the Transport Oriented Development scheme to be abolished". Who is this concerned member of the community? It is Stuart Ayres, the former deputy leader of the Liberal Party—a person who, to be fair, I have had some clashes with in past lives. He has come out this morning and slammed the Opposition. When Stuart Ayres, who I respect, says, "You've gone too far," you know you are in trouble. The problem with those opposite is they are members of a party that will say anything to anyone if it suits them at the time. There is the nimby in chief, the Hon. Damien Tudehope. But where is the next generation? Where are the Hon. Chris Rath and the Hon. Jacqui Munro to lead the charge? The Young Liberals have a better policy than he does and they will have a much better future than he will.

The PRESIDENT: Order! For the benefit of the students in the gallery, I note that Wednesdays are not usually this rowdy.

DOMESTIC AND FAMILY VIOLENCE WORKERS

The Hon. SARAH MITCHELL (11:13): I also welcome the school students in the gallery today. My question is directed to the Minister for Housing, representing the Minister for the Prevention of Domestic Violence and Sexual Assault in the other place. Item 24 in the updated Family, Domestic and Sexual Violence Responses

2021-27 schedule specifies that, in relation to the 500 additional domestic violence workers, "funding is to be used to recruit new workers, and is not to be allocated to existing workers". Has that funding restriction been included in each of the tenders, and what measures are in place to ensure that it is fully complied with so that the Commonwealth funding serves its stated purpose of expanding the domestic violence workforce?

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) (11:14): I thank the member for the question. I apologise to the school students for my slightly fiery outburst earlier in question time. I am known to be quite a passionate Minister. I am, in fact, the Minister for Youth and it is fantastic to have so many young people interested in politics in the gallery. I am passionate about the issues of mental health, housing and homelessness. I am also passionate about the prevention of domestic violence. I am glad to be asked questions on it, though I am not actually the Minister responsible for it. I am the Minister for a range of things; I am not the prevention of domestic violence Minister. That position is held by my colleague Jodie Harrison, the member for Charlestown in the Legislative Assembly. So I do not know the detail of every one of those tenders and how they are ensuring that the requirements of the Commonwealth agreement with New South Wales are met.

I would imagine that, if we have an agreement with the Commonwealth, there would be standard forms requiring that the money be used for the recruitment of new workers and that those elements in the agreement are reflected in the tender documents. But I will take on notice the detail of how the agreement with the Commonwealth is being expressed in those tender documents. I reiterate a point that I made yesterday, which is that I am so pleased that this is happening. For the first time in a long time, our Commonwealth Government in Canberra and our State Government in New South Wales have decided that enough is enough. It was enough a long time ago, but now both governments are going to lean in with money and effort to stop violence against women. The Commonwealth contribution is very welcome. We are very excited to have a partnership with it to deliver services on the ground through the new workers.

The PRESIDENT: Order! The Hon. Natalie Ward will cease interjecting.

The Hon. ROSE JACKSON: The agreement between the Commonwealth and New South Wales to lean into the problem and to provide the workers that are so desperately needed is a really positive thing. I welcome questions on how we will ensure that that is best done on the ground. I accept the premise of the question: Given the Government has given commitments to the Commonwealth about how that money is going to be spent, what assurances can the Opposition have that those commitments are expressed in our tender documents? That is a fair question. I will take it on notice and get the detail from Minister Harrison. But I once again reiterate how positive it is for New South Wales that there is now a step forward in terms of new funding for positions on the ground to try to break the cycle of violence against women that has been identified, rightly, as a real issue of concern for the community, and that governments are responding to that.

The Hon. SARAH MITCHELL (11:17): I ask a supplementary question. I thank the Minister for her answer and for taking the detail on notice. Will she elucidate that part of her answer where she said that she is pleased that the step forward has been taken to put new workers on the ground? Exactly how many new workers are on the ground right now?

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): As I indicated, I do not have that detail. My understanding from the Minister—

The PRESIDENT: Order! The Opposition has asked the question. It will listen to the answer. The Minister has the call.

The Hon. ROSE JACKSON: I have asked Minister Harrison for updates on the rollout of the programs. As I indicated, the advice that she has provided to me is that we are on track in terms of our agreements with the Commonwealth to have those workers rolled out. I am happy to take on notice where we are up to. I received some advice from her in the previous sitting. I will get an update. As I have said, we know we need to get this moving. The premise of the member's question is, "Hey, this is urgent. Let's get this moving." I agree with that premise. I accept that this is an urgent issue and that we need to get on with it. There is absolutely no interest or agenda to hold it up. The only interest or agenda is to get it done properly and to make sure that the resources are spent in the areas where they will have the most significant impact.

But we do need to get it moving. We need those workers on the ground providing support to women and children fleeing domestic violence. As I said, the advice to me is that we have made commitments to the Commonwealth about the rollout of those workers. I am advised that we are on track with those commitments. But, fundamentally, I think all members can agree that we must get this moving as quickly as we can because the need is clearly there in the community. If these support workers can provide assistance to women and children

then clearly they are necessary, they are needed and we want to see them in place as soon as we are able to deliver that.

PEABODY COAL WASTEWATER

Ms CATE FAEHRMANN (11:19): My question is directed to the Minister for the Environment. Over the weekend Peabody coal company discharged more than 2½ million litres of wastewater from its metropolitan colliery into Camp Gully Creek at Helensburgh. This wastewater was 10 times the electrical conductivity limits in the *Australian & New Zealand Guidelines for Fresh & Marine Water Quality* that the Environment Protection Authority [EPA] has asked Peabody to meet. Camp Gully Creek flows into the Hacking River, into which the Minister released platypus last year. What steps will she take to ensure that Peabody's ongoing pollution of Camp Gully Creek will not lead to the death of platypus in the Hacking River?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:20): I thank Ms Cate Faehrmann for her question and her concern about the platypus that have been reintroduced into the Royal National Park.

The Hon. Bronnie Taylor: They're from Monaro.

The Hon. PENNY SHARPE: Some of them are; some of them are from Oberon. Ten platypus have been released, and a baby has been born as well.

The Hon. Sarah Mitchell: Yes, a puggle.

The Hon. PENNY SHARPE: A baby puggle, so there are now 11 of them living there. They were reintroduced into the Royal National Park because of the water quality and the good work of a range of people, including scientists from the University of New South Wales and National Parks and Wildlife staff, and a genuine partnership with Taronga Zoo and WWF. Those platypus are safe, and remain safe, because extensive work has been done to make sure the water quality is reasonable.

Specifically in relation to the question, I am aware of the issue on the weekend but I do not have up-to-date advice. I will get that for the member. The key message is clear: Peabody has to follow the rules. It has a licence. There have been problems in the past and the company has been breached, and I expect the EPA to throw the book at the company if it has done the wrong thing. While I have heard about the discharge, I do not have any further detail on the specifics. I will get that detail and provide it to the member. But the point here, in terms of the release of the platypus—some were called some pretty cute names, such as Delphi and Kombucha. I have forgotten the name of the baby, though.

[A member interjected.]

No, I get ongoing advice about that. I can also update Ms Sue Higginson, who I know has been concerned about one that we lost for a little while—we lost its little tracker—that it has been found again. We think that she just moved further up the river, up into one of the creeks there.

The Hon. Bronnie Taylor: Call her Sue!

The Hon. PENNY SHARPE: No, they already have names. I did not get to name them. This is a really important question. Anyone who has an environmental protection licence—and it does not matter what industry they are from—is supposed to follow the rules. It is their obligation to protect the environment and make sure they do not do harm to it. A couple of months ago this Parliament passed the highest level of strengthening of the penalties and regulations the EPA is able to impose as our environmental police on the beat. I expect the EPA to carry out that role. Often its officers do that in quite difficult circumstances and they take it seriously. The message is clear: If Peabody has done the wrong thing, I know the EPA will be looking at it and working through it. If Peabody has done the wrong thing then, like all other licence holders who do the wrong thing, it will be prosecuted—and with the help of this Parliament, the penalties are higher than they have been before.

EMERGENCY HOUSING

The Hon. PETER PRIMROSE (11:23): My question is addressed to the Minister for Housing. Will the Minister update the House on the innovative ways the New South Wales Government is helping our community access emergency housing?

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) (11:23): I am happy to update the House on this question. We know the housing crisis is very real. Will those young kids in the gallery today ever be able to own their homes? That is a dream we want for them, but it is a dream that is increasingly out of reach for so many. The Treasurer has talked a little bit about some of the overall work we are doing—and,

to be honest, some of the incredibly bizarre attacks from the Opposition on our efforts to confront the housing crisis. Nonetheless, I have always acknowledged that the time it takes to build new houses is time we cannot afford to waste.

One of the innovative things we have done is to explore how we can better use our vacant homes, where State renewal is planned, to provide solutions right now. We have a pipeline of works to renew some of our older, ageing public housing into more modern housing. It is a really important part of how we are confronting the housing crisis. But in the time it takes to do that work, we often have dwellings that are sitting empty for a year or two as we go through the planning and pre-construction phase. Why waste that time? We have now partnered with community housing providers like Bridge Housing to offer "meanwhile use" in that housing. That means not having someone move permanently back into that home—because the renewal project is still really important—but allowing that property to be used for short-term crisis and emergency accommodation during the pre-construction and planning phases.

Recently I visited one of the dwellings we are going to use for this purpose. It is a pretty run-down block of about 17 units that we are going to transform into more than 40 modern units—a really good project. But right now we have partnered with a community housing provider so that women and children fleeing domestic violence, that group that we are so concerned about—and it is excellent that there is real energy and passion to do something for them—have access to more emergency accommodation. Those are 17 more emergency accommodation dwellings we have been able to bring online almost overnight by utilising those vacant properties.

Previously those properties just sat empty. There was no creativity, no innovation and no plan for what we could do, which is a big contrast to the approach our Government takes to this issue. We explore every nook and cranny and chase every rabbit down every hole, asking what we can do to provide solutions right now. I am proud of our "meanwhile use" program. We have done one, and there are more on the way. There are good projects that we want to do—

The Hon. Damien Tudehope: One!

The Hon. ROSE JACKSON: You did none. We have done one and there are more on the way, providing innovative solutions to the housing crisis.

BIODIVERSITY LEGISLATION REVIEW

Ms SUE HIGGINSON (11:26): My question is directed to the Leader of the Government, and Minister for the Environment. The Ken Henry review of the Biodiversity Conservation Act found that the current environmental laws are not serving their purpose in protecting the environment—and in fact are facilitating the harm of the environment. When will the whole-of-government response be provided to that review? How long will any accepted recommendations take to implement?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:27): I thank Ms Sue Higginson for her question and wish her a happy World Environment Day. It is very important. In 2016 the then New South Wales Government shredded the laws that protected threatened species across New South Wales and introduced the new Biodiversity Conservation Act. The then Opposition said it was not going to work. Unfortunately, we are now through the process and what we predicted when in opposition has come true. Almost every report we have tells us, based on data and the good work of many scientists, that the situation for the environment in New South Wales is not good across many different domains and datasets, not only in terms of us being able to restore what has been harmed but also protect what is left.

The statutory review of the Biodiversity Conservation Act was done by Ken Henry, whom many members may know, and was put together by the previous Government. Mr Henry briefed me when I came into my position and we have tabled that report. Essentially, he says that the status quo is not working and we need to turn that around. The New South Wales Government takes this extremely seriously. We had concerns from the beginning with the laws that were put in place in 2016 and we have been watching them closely ever since.

Currently we are finalising the whole-of-government response to that review. We hope we can release it as soon as possible. It will be soon, but I am not giving members a date today. However, we are taking it seriously. I note that people are watching this carefully. We have got to turn around a trajectory that is very scary, not in a horror-show way but in terms of the health and welfare of the animals and plants for which we are responsible, and the landscapes, ecology and ecosystems we rely on to grow the food and fibre that we need. They are the ecosystems we rely on to look after the soil, the air and the water. All of these things are extremely important.

The short answer to the member is that it is soon. The longer answer is that this will be a staged process. This is not the beginning or the end of this reform. We will provide some signposts to what the Government is

going to do. We have election commitments in relation to strengthening environmental protections, fixing the offsets scheme—I was happy to sit on the committee that oversaw the Biodiversity Offsets Scheme—and dealing with excess land clearing, which I share with my colleague the Hon. Tara Moriarty as we work through that. The short answer is soon; the longer answer is that we take this extremely seriously. We cannot ignore the data that tells us that our very precious environment in New South Wales, which we all rely on to live happily, healthily and with economic prosperity, requires more work. We will be announcing that soon.

Ms SUE HIGGINSON (11:30): I ask a supplementary question. Will the Minister elucidate the part of her answer where she says "soon"? Does that indicate within this current year?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:30): Yes.

DOMESTIC AND FAMILY VIOLENCE WORKERS

The Hon. NATALIE WARD (11:30): My question is directed to the Minister for Housing, representing the Minister for the Prevention of Domestic Violence and Sexual Assault. In the Minister's answer to a supplementary question for written answer that I asked her on 9 May, she provided the House with the *NSW February 2024 Progress Report – 500 workers*, which made it clear that the majority of the additional domestic violence workers would not be deployed until December. Is the report the Minister provided to the House accurate or does she stand by her assertion "that the recruitment will be finalised by September"? Given September is not December, which of the Minister's answers is true?

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) (11:31): I thank the honourable member for the question and for clarifying the months of the Judean calendar for me. I understand, and am advised by the Minister who is the relevant person managing this, that, as I have indicated before, we are on track. We are on track with our Commonwealth agreement to deliver the 118 workers that New South Wales is receiving out of the 500 funded by the Commonwealth. My understanding is that we have indicated that the majority—in fact all, I think—of the remaining workers will be recruited within the 2024-25 calendar year and that we are on track to do that by September of that year. My understanding is that we have indicated to the Commonwealth that that is the calendar year we were doing it and we are on track to have that done by September.

I do not have any other advice in relation to the dates that the member has suggested. I am happy to take on notice to clarify if there is any further information in relation to that. But, as I said, this is standard practice with the recruitment and deployment of quite a large number of additional staff into a sector that so desperately needs them. I reiterate that we know the workers are essential. We know they were needed yesterday and that the urgency is there. We have made a fantastic agreement with the Commonwealth to lean into this problem and deploy a substantial number of new workers into the system. We have given commitments about when that will occur, as I have indicated. The advice that I have is that contracts for those workers should be done by the end of June this year. We are getting very close to the contracting stage. As I said, that is not necessarily the deployment of the workers. A contract is needed before recruitment can be commenced.

The advice that I have is that we are on track for that. I will ask Minister Harrison if there is any update on that. It is really exciting that we are really close to having a big injection of new support workers into the system in New South Wales. It is desperately needed. Over the next few months, hundreds of new workers will be coming online in an area where they're so desperately needed because of the cooperation between the New South Wales and Commonwealth governments. I think that is a really positive thing and we should be really excited about it, because the issue, unfortunately, is not going away.

The Hon. NATALIE WARD (11:34): I ask a supplementary question. I thank the Minister for her answer. In relation to the part of her answer where she talked about not having other advice, it is clear that she tabled advice which stated categorically December. But she also categorically stated to the House September. I am trying to clarify which of those is the answer. I appreciate what the Minister has said about taking advice, but it is very clear there are two very conflicting matters. Will the Minister elucidate that part of her answer to clarify whether the answer is the tabled advice or the oral advice? Is it September or is it December?

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) (11:35): I will go back to Minister Harrison to clarify. However, my understanding is that the progress report referred to "Q2 2024/25", which is a period of three months: October, November and December. I think it is not fair to say that it was definitive about December. But, as I said, I will take that on notice, because Q2 is not December. However, the point is a valid one. I will go back to Minister Harrison and clarify what the latest advice is as to when the workers

will be deployed. I understand the concern from the Opposition to make sure that this is done as expeditiously as possible. I share that concern. I share the concern from the community.

The community at large wants to make sure that rollout of those workers is happening in the most expeditious way possible and that the urgency that they feel about this issue is being reflected in the actions of political leaders. I readily accept that we have to take that urgency on and make sure that happens. I am happy to seek some clarification, but I reiterate that the Government has given commitments about when the work will happen. It is on track with those commitments. It has been open and up-front with the Commonwealth and the community about when those things will be staged out. There is no information that has not been provided, but if there is a little bit of clarification that is needed on exactly when these much-needed workers—who will be doing a wonderful job in our community—will be available, I am happy to check that.

The PRESIDENT: Before I call the Hon. Bob Nanva, I welcome outstanding young student leaders from across New South Wales who are in Parliament today as part of the Secondary Schools Leadership Program hosted by the Parliamentary Education and Engagement group. You are all very welcome in the Chamber today.

ENVIRONMENTAL PROTECTION

The Hon. BOB NANVA (11:37): My question is addressed to the Minister for the Environment. Will the Minister update the House on the New South Wales Government's work to protect the environment?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:37): I thank the honourable member. I have a new animal for members today. I have the broad-toothed rat. Today is World Environment Day. Worldwide the environment is under serious pressure. Global biodiversity is in decline and climate change is fuelling more extreme weather. Australia is not immune to those pressures—we have the worst mammal extinction rate on the planet—and neither is New South Wales.

The recently released *NSW biodiversity outlook report 2024* is unequivocal about the biodiversity decline occurring in our State. We know that the impacts of habitat loss, climate change and fire are major factors in that decline. But we on this side believe that the challenges are not insurmountable. We are busy delivering world-leading threatened species programs that are not just designed to prevent new extinctions but to reverse extinctions too. With partners such as UNSW Wild Deserts and the Australian Wildlife Conservancy, we are building a network of feral-free areas which have enabled the return of 12 species that were previously functionally extinct in New South Wales. That is where the National Party should go, into some of our feral-free areas. We talked about the Royal National Park before.

The Hon. Wes Fang: Point of order: While the Leader of the Government is probably delighting in these little snipes at the National Party, I would suggest that it is not relevant to the question and I ask that she be called to order.

The PRESIDENT: There is no point of order. The Leader of the Government has the call.

The Hon. PENNY SHARPE: We have already spoken today about the Royal National Park and we have talked about the health of the platypus that are there, the 10 that were released, with the baby one, called a puggle—I will get its name at some point. The Government is also establishing new conservation areas. It is acquiring land for koala habitat in high priority areas and purchasing over 3,000 hectares. This is in addition to the work to establish the Great Koala National Park. Since Labor came to government, over 485,000 hectares of land has been acquired, but there are many challenges. As I have indicated today, I want to talk about the broad-toothed rat—I might call it "Bob the Broad-toothed Rat".

The Hon. Sarah Mitchell: Doesn't Bob have a motion on this? He's the patron saint of the broad-toothed rat.

The Hon. PENNY SHARPE: Yes, he is. The broad-toothed rat has recently had its status changed from vulnerable to endangered, in recognition that it is at a higher chance of extinction. The uplisting of the species is sobering news. It indicates that it is facing the risk of extinction. The population of the broad-toothed rat has halved over the decade. Further population declines are considered likely. Horses are one of the key drivers of the population decline, along with fire and climate change. Horses affect the habitat of the broad-toothed rat by grazing and trampling vegetation, which removes shelter, nesting habitat and food sources. Trampling their vegetation cover means they literally have nowhere to go when the cold weather and the snow sets in.

The Hon. Bronnie Taylor: Point of order: I hate to interrupt the Minister when she is talking about the broad-toothed rat but, as there is a notice of motion to come on the *Notice Paper*, is the Minister not pre-empting that debate with her answer?

The Hon. PENNY SHARPE: To the point of order: Today is World Environment Day.

The Hon. Bronnie Taylor: Well, you should have known better.

The Hon. PENNY SHARPE: I do know better. This answer has been well thought through so as not to traverse the anticipation rule, which I think is what the member is trying to draw attention to. I can talk about this more broadly without it traversing the anticipation rule.

The Hon. Daniel Mookhey: To the point of order: The anticipation standing order applies to the question more than it does to the answer. That is the first point. A member cannot ask a question that traverses a decision of the House. As the President has ruled previously, just because there may or may not be an overlap in subject matter, that does not necessarily trigger the requirement of any response from the President under the standing orders when it comes to anticipation.

The Hon. Wes Fang: To the point of order: The motion, which was given notice of by the member asking the question, references the broad-toothed rat and its extinction in relation to wild horses. That is exactly the topic the Minister is traversing. It is anticipation. I ask that the question and the answer be ruled out of order.

The PRESIDENT: I do not uphold the final point of order because the broad-toothed rat was not included in the question, but I will consider the other point of order now.

[Members interjected.]

Order! This is an interesting point of order and I appreciate it being taken by the Hon. Bronnie Taylor. The Treasurer is quite right that the standing orders refer to the fact that anticipation is predominantly within the purview of the question. That having been said, the concept of anticipation has been broadened in previous rulings. I uphold the point of order and ask the Minister to confine—

The Hon. Scott Farlow: Read the standing orders.

The PRESIDENT: I call the Hon. Scott Farlow to order for the first time. I am in the middle of a ruling. The Hon. Penny Sharpe will confine her remarks to those that are not within the purview of the Hon. Bob Nanva's motion. The Hon. Penny Sharpe has the call.

The Hon. Bronnie Taylor: How many times have you told me to know the rules, Penny Sharpe? You should say congratulations.

The Hon. PENNY SHARPE: Oh well. Occasionally I get it wrong. Congratulations to the Hon. Bronnie Taylor on getting a point of order up. Very good. Well done. I will not do it again. The point I make is that it is World Environment Day. The Government is working across all parts of the department that I work in and across government to look after our very important environment. Whether it is the threatened species work that the department does through the Saving our Species program or the invasive species work, which it often does jointly with the Department of Primary Industries and others, dealing with invasive species is one of the best things that we can do. The amount of money that the Government has invested in this and the work it is doing to get rid of horses, pigs, goats, cats and a range of different weeds, of which there are many, is incredibly important in changing this. *[Time expired.]*

SYDNEY GAY AND LESBIAN MARDI GRAS

Dr AMANDA COHN (11:46): My question is directed to the Leader of the Government. Last week the board of the Sydney Gay and Lesbian Mardi Gras wrote to members of the New South Wales Parliament seeking their commitment to support the equality bill without further delay to the urgent reforms that it proposes. In particular the letter stated that the board of Sydney Gay and Lesbian Mardi Gras believes that our legislative support for Sydney's LGBTQIA+ constituents must exist year round, not just on days of celebration and pride. As members of the Government in which the first New South Wales Premier has marched in a Sydney Mardi Gras parade, how has the Government responded, or how will the Government respond, to this letter, and in particular the request that MPs who vote against this bill not participate in the Sydney Gay and Lesbian Mardi Gras parade or seek promotion through Fair Day?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:47): I am happy to answer part of the question, but it is full of hypotheticals, which I am not able to answer and will not answer. The point is that Mardi Gras is one of the most important celebrations and parts of the life of New South Wales. Borne from protest in 1978, Mardi Gras exists to further the quality of the LGBTIQ community. It is something that I have been proud to be part of. I have marched now around 20 times. I am proud of the Government, which has not only supported Mardi Gras and helped it out when it got into financial difficulty this year but has also continued to support it. I am also proud to

have marched with both the Prime Minister and the Premier, the first Prime Minister and Premier of this State to march in the parade to show their support for the LGBTIQ community.

Everyone understands that there is more work to be done. The matter of who marches in the Mardi Gras is a matter for Mardi Gras. It needs to work through those issues. The point I make—and I have marched with many people from all parts of the Parliament—is that when people stand up and walk with the LGBTIQ community for Mardi Gras it is a very powerful moment that shows support and brings with it responsibility to advance and not do harm to that community. Those who stand with that community march with that community, and they should all be congratulated. Sometimes they are in parties where it has not been easy to do.

I particularly thank those members of the Liberal Party who have previously marched. I know there were calls for them not to march, and I disagreed with that, as there were calls for the police not to march, and I disagreed with that. Mardi Gras is an important part of the fabric of New South Wales. It is also an important way that people can stand up and support a community that has been discriminated against and has had to live with prejudice its whole life. Tomorrow we are going to be giving an apology, which is some of the action. I think the call on whether people march or not is ultimately a matter for Mardi Gras, but I think people are missing the point of what it means when people decide to show up and show their support in terms of their long-term commitment to the community and their desire to progress equality for everyone in this State.

Dr AMANDA COHN (11:49): I ask a supplementary question. The Minister declined to answer that part of the question which was, in the future, how will the Government respond to the question, but part of my question was how has the Government responded to the question? I ask her to answer that part of the question.

The PRESIDENT: I would normally rule that out because it is a restatement of part of the question. The Minister is happy to respond, so the Minister can respond.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:50): If I understand the question, I cannot predict the future. I would love to be able to and I know that we all give it a red-hot go almost every single day, but I am not predicting the future, except to say that this Government has always supported Mardi Gras. It will continue to do that, and that work is ongoing.

The PRESIDENT: I welcome to the Parliament students from MLC School at Burwood who are participating in the Legal Studies and the Legislature program conducted by the parliamentary education team. You are all very welcome.

DOMESTIC AND FAMILY VIOLENCE

The Hon. BRONNIE TAYLOR (11:50): My question is directed to the Minister for Housing, representing the Minister for the Prevention of Domestic Violence and Sexual Assault. In an answer provided to the House on 30 May, the Minister stated that before any of the \$48 million funding announced on 6 May would be applied to rolling out the Staying Home Leaving Violence program statewide, there would be "further analysis of the domestic and family violence need and service coverage across different regions of New South Wales". Noting the deployment of the additional 118 Commonwealth domestic violence workers has been delayed by an 11-month analysis carried out by the Department of Communities and Justice, how long will women needing access to the Staying Home Leaving Violence program in regional areas, where it is not yet being delivered, have to wait while this further analysis is carried out?

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) (11:51): I thank the honourable member for the question. To be clear, the announcement that the Government made in relation to Staying Home Leaving Violence is to ensure that every woman in New South Wales is able to access that program. That is a really significant announcement. I do not know exactly the time frames for when Minister Harrison, as the responsible Minister, will be doing that additional contracting. I am happy to take on notice that component and get an update from her in terms of the time frame. But let us be really clear about what has happened here. The issue of violence against women is not a new issue. It is something that women in this State have grappled with for a really, really long time. There have been some good efforts, some bipartisan efforts and some piecemeal efforts.

I credit Staying Home Leaving Violence as a good program that was initiated under the previous Government to try to ensure that women were able to stay in the home and that it was perpetrators who had to leave and relocate, find new places to stay. It was a good program in response to an issue that has been going on for a long time. But it was a limited program. It was not available statewide. It was a good program, but funded in a limited way. What a shame for those women who lived in areas that were not able to be covered by

Staying Home Leaving Violence under the previous Government. It was a real shame for those women. This Government has committed an additional \$48 million of new money to expand—

The Hon. Bronnie Taylor: Point of order: I am very grateful to the Minister for her response to the question, but the question specifically asked how long it will be, while further analysis is happening, before the domestic violence workers will be on the ground. I ask that the Minister be drawn back to answering the question.

The PRESIDENT: There is no point of order. The Minister is being directly relevant. The Minister has the call.

The Hon. ROSE JACKSON: I have indicated that I will seek clarification from Minister Harrison about updates on timing—

The Hon. Damien Tudehope: Why don't you do it overnight?

The Hon. ROSE JACKSON: I actually don't know the questions that you are going to ask. You expect me to go to Minister Harrison, "Hey, Jodie, what are you doing with the Staying Home Leaving Violence worker rollout?" Talk about asking Ministers to predict the future! I think I am doing a pretty decent job, in an area that is not in my portfolio, in trying to provide information. I will seek clarification on the details of when the anticipated expansion of Staying Home Leaving Violence to being a statewide program will occur. I will try to get an updated time frame. But, to be clear, I am very proud to be part of a government that has not left some women without access to this program. It will now be a statewide program thanks to the Labor Government's injection of \$48 million into its expansion.

REGIONAL DEVELOPMENT TRUST

The Hon. STEPHEN LAWRENCE (11:54): My question is addressed to the Minister for Regional New South Wales. Will the Minister update the House on how the Minns Government is investing in regional New South Wales and is she aware of any alternative approach?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:55): I thank the honourable member for the question and for his ongoing and dedicated interest in regional development across our regions in New South Wales. As part of the 2023-24 New South Wales budget, I announced a fresh approach to investments in New South Wales—a very exciting announcement. It included an initial investment of \$350 million in a new Regional Development Trust. After consulting with regional communities from Bega to Bourke, from Maitland to Broken Hill, I recently announced in Orange, with the Premier, the initial investments of the Regional Development Trust.

The initial round of investments includes \$15 million to deliver airstrip improvements in rural and remote New South Wales. This decision was based on feedback that I received as part of my wide-reaching consultation with regional communities—as well as business and health—particularly in remote western New South Wales, which said that improving regional and remote airstrips will enable business to connect to the rest of the State, and to the rest of the country, in a much more effective and efficient way. It will also improve access to health care, with the Royal Flying Doctor Service being able to provide more services, which is much needed. It also provides better connectivity for community members, particularly in remote communities around western New South Wales.

I also announced a \$5 million package to support Aboriginal businesses and organisations in regional New South Wales to expand operations and to hire more staff. This is also based on a large range of consultation and engagement with regional communities and Aboriginal organisations across our regions. There are some fantastic Aboriginal run and operated businesses which, with a little extra support from the New South Wales Government, will have the ability to expand their businesses, employ more people and be way more successful than some currently are. I am very excited to invest that initial \$5 million in some of those Aboriginal businesses to help them develop that growth. The Government has also announced a Western NSW Workforce Activation Package, which will particularly be aimed at the childcare gap in western New South Wales. The Government will be working with providers of child care, particularly in western New South Wales, to help people get back to work, through that investment. [*Time expired.*]

WASTE MANAGEMENT

The Hon. MARK LATHAM (11:58): My question is directed to the Minister for the Environment and Leader of the Government. Will the Minister update the House on the challenges of Sydney's waste management needs and, in particular, what action the Government is taking to increase recycling and landfill capacity in Sydney? Can the Minister assure the House that regional New South Wales will not be used as a dumping ground for Sydney's waste?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:58): I thank the honourable member for his question. It is a serious question that we need to come to grips with. The reality is that landfill is under pressure: Very little landfill work has been done for more than a decade, and it takes a long time to build a landfill. The information that I have from the Environment Protection Authority [EPA] and others is that the window has closed and we probably have less than 10 years to deal with landfill. We are doing a number of different things to deal with that. Yesterday I talked a little bit about that. The EPA has put out two discussion papers on trying to reduce waste going to landfill in the first place through the waste levy and what that will look like in the future. The waste levy puts a cost on putting waste into landfill to encourage recycling. That has had some success, but it is time for that to be updated because our recycling rates have hit a limit and we must work through that.

Secondly, there is a discussion paper on food and garden organics, or FOGO, which people may have in their household. Up to one-third of our red bins have food and organic waste in them. That should not be going into landfill; it should be turned into compost and reused. We are rolling out FOGO mandates with many local governments, as many of them have done great work on that. I give a particular shout-out to Penrith, which has done that for over 10 years. It is exemplary in the way it deals with organic waste. Thirdly, the Government is writing a waste infrastructure plan. Members would be surprised to know that there is no plan. Given how long it takes for us to build waste infrastructure—

The Hon. Bronnie Taylor: Another plan!

The Hon. PENNY SHARPE: The Opposition never made a plan and we are running out of landfill. I am sure Opposition members are proud about that record. We must figure out what we need to do to increase recycling rates. We are trying to move forward. The Government and the Parliament has passed legislation to try to move New South Wales to a circular economy, which is incredibly important. We should not waste one scrap. Very little would go into landfill if we used all our waste resources. We need to do everything: We need to avoid waste in the first place, we need to reduce the waste we create, we need to reuse that waste, we need to get to recycling and we need to use landfill as a last resort. I am not going to pretend that there is a silver bullet for this issue because there isn't one, but we are working with the range of levers we have to come to grips with it.

The Hon. MARK LATHAM (12:01): I ask a supplementary question. Will the Minister elaborate on her comments regarding landfill? With the enormous earthmoving works around the new airport at Badgerys Creek and the so-called Bradfield City, why has that not been identified as a logical place for new landfill?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:01): I cannot speak to what the previous Government may or may not have examined, but I am happy to take on notice if it has—

The Hon. Mark Latham: What about your Government?

The Hon. PENNY SHARPE: I accept that; I totally understand that. I have told the member what we are doing. Part of the infrastructure plan would be looking at where the options are for landfill, but we are trying to avoid landfill in the first place. As we manage that issue, that is what we will do.

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

PEABODY COAL WASTEWATER

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:02): I can give an update on the platypus.

The Hon. Rose Jackson: What is its name?

The Hon. PENNY SHARPE: The name of the baby platypus is Gilly. I am advised that it was named by Uncle Dean Kelly, an Aboriginal community liaison officer with the National Parks and Wildlife Service and Wailwan man from the Yuin nation, whom I am fortunate to have met previously. Gilly means "flame" in Dharawal, which relates to the "flame of new life" in the national park. That is very good news.

I have more information about the Peabody coal discharge into Camp Gully Creek. As part of the management of and preparation for the large amount of rain that is to come, some treatment and discharge occurred in Camp Gully Creek so that Peabody could hold additional water. That is allowed under the licence. There is still some lawful discharge occurring in advance of the oncoming rain. Metropolitan Collieries is required under its new licence to take a number of actions including replacing new meters and not allowing discharges at certain times.

I am advised by the Environment Protection Authority [EPA] that it is complying with its licence, which controls the quality and volume of the discharge. No unlawful discharge has occurred, but the EPA continues to

monitor the situation. The Environment Protection Authority has issued a variation to Metropolitan Collieries' environmental protection licence, requiring further work to be done to protect the environment of Camp Gully Creek. The mine is required to look at options to reduce the concentration of pollutants in its water discharges and/or reduce their frequency or volume. It is also required to install additional live monitors near the discharge points. The variation follows advice from a scientific report required by the EPA. As I said earlier, we expect Metropolitan Collieries to follow its licence, and there will be consequences if it does the wrong thing. I can confirm for members that those discharges have not impacted the platypus that are there.

Supplementary Questions for Written Answers

DOMESTIC AND FAMILY VIOLENCE WORKERS

The Hon. NATALIE WARD (12:04): My supplementary question for written answer is directed to the Minister for Housing, representing the Minister for the Prevention of Domestic Violence and Sexual Assault. Will the majority of the Commonwealth-funded domestic violence workers be in place by the end of September 2024? If so, why did the New South Wales February 2024 progress report to the Commonwealth state that the majority will not be deployed until the end of the second quarter of 2024-25?

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.

DOMESTIC AND FAMILY VIOLENCE WORKERS

PATHWAYS TO COMMUNITY LIVING INITIATIVE

The Hon. DAMIEN TUDEHOPE (12:05): I take note of the answers given by the Minister for Housing, and Minister for Mental Health, representing the Minister for Women, and Minister for the Prevention of Domestic Violence and Sexual Assault in the other place. Yesterday the Minister was asked four questions about the rollout of domestic violence workers in regional areas, for people with disability, and more generally relating to the Government's compliance with its obligations under the commitments it made to the Commonwealth. Today the Minister was asked whether the rollout of workers would be in September or December and whether a representation she made to the House in answer to a previous question was correct or not. Yesterday the Minister was asked similar questions, but today she had no idea about the specifics of the rollout of the program. Her excuse related to the Minister in the other place, as if to say, "It is not my responsibility. I do not have control over this. That is for the Minister in the other place." She did not take the time or bother to provide the House with an update on that.

The second answer that I wish to draw attention to related to her observations of the Black Dog Institute, which described the cut in funding for the Pathways to Community Living Initiative as "atrocious". On any view of it, a reduction from 230 to 20 places in a mental health program is unjustifiable and unsupportable. Today the Minister said, "The cut was made, but it is someone else's fault." The primary starting position for a Minister for Mental Health would be to maintain those 230 places. This issue cannot be ignored in the community. The Minister effectively tried to grandstand with an announcement about \$40 million in funding, while she knew that she would cut the places from 230 to 20. She has betrayed the community, she has betrayed her responsibility to her portfolio and she has betrayed the people of this State.

HOUSING SUPPLY

The Hon. JEREMY BUCKINGHAM (12:08): I take note of the answer given by the Treasurer. I begin by reciting a poem by Lord Tennyson:

Half a league, half a league,
Half a league onward,
All in the valley of Death
Rode the six hundred.
"Forward, the Light Brigade!
Charge for the guns!" he said.
Into the valley of Death
Rode the six hundred.

I am referring to the courage of the Hon. Scott Farlow in bringing forward a bill that will absolutely skewer the Government's plan to create tens of thousands of houses and dwellings in this State. There has never been a more obvious kamikaze attempt by a member in this place. If he wants to destroy his political credibility—

The Hon. Damien Tudehope: Have you read the bill?

The Hon. JEREMY BUCKINGHAM: Yes, of course I have read the bill. It disallows the concept—

The Hon. Damien Tudehope: It doesn't disallow anything.

The Hon. JEREMY BUCKINGHAM: It does. It allows the Government to—

The Hon. Damien Tudehope: It "allows"!

The Hon. JEREMY BUCKINGHAM: Of course it does. But the effect is it undermines the Government's policy, and it creates a massive amount of uncertainty. It is opposed by every single person in the State who wants to see more housing supply.

The Hon. Damien Tudehope: It doesn't disallow anything.

The Hon. JEREMY BUCKINGHAM: The Hon. Damien Tudehope is protesting so much because he knows it is a stupid idea in a political and in a policy sense. I have been around a couple of times, mate, and I urge the member to withdraw the bill. He is charging into political canons. Gen Z, millennials and their parents want to see more supply. They support this, as do 11 of the 12 councils. Members opposite want to talk about consultation; those councils have signed up. Those opposite talk about infrastructure. The reality is if a person owns a house 400 metres away from a train station, they can expect there to be an uplift in zoning, an uplift in development and more housing in that area, and rightly so.

It is the biggest political mistake that the Opposition has made in the past year or so and a massive political failure because it will turn off its future voter base. The millennials and gen Z will remember the Hon. Scott Farlow trying to skewer housing development in the State. I say to him, "Mate, go for it." He is destroying his political future; he is destroying his credibility in this area. The Government's policy is a good one. We need more housing, especially around transport hubs. I know because I am a renter. My son is trying to buy a house. He knows how impossible it is. If the Hon. Scott Farlow wants to put the National Trust before gen Z and millennials trying to buy a house, good for him. Into the guns, son.

PATHWAYS TO COMMUNITY LIVING INITIATIVE

The Hon. EMILY SUVAAL (12:11): I take note of answers given today by the Minister for Mental Health, the Hon. Rose Jackson. I commend her for her answers. I lost track of how many questions she answered in today's question time, but there were many. I particularly take note of answers that the Minister gave to questions around the Pathways to Community Living Initiative, or PCLI. As we know, it is an important program but it did not have any recurrent funding attached to it. The previous Government did not allocate sufficient capital to expand the program to the proposed 230 beds. The capital that was initially allocated was only ever going to expand it to 60 beds, so it is a complete myth to accuse the Minister of cutting a program that was never there to begin with.

I commend the Minister for her work to secure funding to ensure that the program is funded with certainty into the future. It is an important program that has a real impact on the small number of individuals that benefit from it. It impacts not only on those individuals, on their lives and their recovery, but also on our acute hospital settings, which are not a good place to live in the long term. I can attest to that. The impact that it has on alleviating pressure on inpatient mental health units is also significant.

We know that this is a challenging budgetary time. I am told by the Treasurer that the previous Government undertook quite a large spending spree in the lead-up to this term. We do not have a lot to show for that. It would have been great if in those dying days it had allocated recurrent funding for the PCLI to expand it to the original promise of 220 to 230 beds. It is not credible to create a program and hope that a community housing provider or the Commonwealth will tip in the funds for these vulnerable people and the amazing staff that work in the industry. It is certainly not ethical. The PCLI is important for the people being served by this industry. I commend the Minister for securing the ongoing funding for this important program and for her ongoing work in this challenging portfolio in this challenging time. [*Time expired.*]

PATHWAYS TO COMMUNITY LIVING INITIATIVE

The Hon. SUSAN CARTER (12:15): I take note of the answer given by Minister Jackson. I think all members agree that funding for mental health is critically important. I note the announcement yesterday of slightly over \$111 million over four years for mental health, which also included \$40 million for Pathways to Community Living Initiatives. I found the Minister's statement today surprising. She said, "I came in and I thought I would find \$160 million but I opened the budgetary cupboard and there is only \$80 million there. There is \$80 million with an assumption of Commonwealth funding." No, there is \$80 million and a responsibility to negotiate with our health partners in the Commonwealth for funding in this critically important area.

She also said, "I opened the budget cupboard and there was an assumption of recurrent funding." I do not understand why Government members repeatedly say, "The previous Government members did not fund the program. Where is the recurrent funding?" Are we meant to be funding things to infinity and beyond? That is not the way budget processes work. We knew what we would do if we were returned to government. But we are not drawing the budget. To say to us, "Your money is not there to do what we think we would like to do now; therefore, we cannot do this," makes no sense when they are the authors of the budget.

There is another thing I do not understand. The Minister said she found \$80 million instead of the expected \$160 million, but then made an announcement of \$40 million in funding—over four years. We know that it has involved a rescoping, which is a fancy way of saying cutting, and that it will go from the allocated 230 places down to 20. This is short-sighted and bad economics for the State. The Pathways to Community Living Initiative changes lives; it also reduces health budgets. The University of Wollongong found that it was transformative. It changed practices in mental health hospitals, and the overall length of long-stay admissions in New South Wales was reduced significantly. Whether the money has to be found down the back of the couch, like the extra money for the Art Gallery, or wherever we find it— [*Time expired.*]

HOUSING SUPPLY

WASTE MANAGEMENT

The Hon. MARK LATHAM (12:18): What a wonderful Chamber we serve in where the cannabis party gets to give political advice to the Liberal Party of Australia about its seats, its housing policy and the like. I happen to agree with the Hon. Jeremy Buckingham on public policy grounds and the Government's critique. The truth is that councils on the North Shore of Sydney must start to carry their proper weight in housing supply. They were a protected species under the previous Government. Those councils just totally ignored housing targets without any sanctions. Former Government members said, "We will do this to you," and all that; they did not do anything. They whipped them with a wet lettuce and the councils just laughed at them. The Mosman municipality was almost going backwards in its population density under the former Government.

There is no doubt that the North Shore of Sydney, and to some extent the eastern suburbs, must carry the weight that is otherwise carried on the urban fringe of Western Sydney, where the housing supply is much more costly to government and also to its citizens in commute time and in providing reticulated services and other services when engaged in urban sprawl. I understand why the Liberal Party, protecting its North Shore boroughs, is engaged in this policy, but it is not the right—

The Hon. Penny Sharpe: They should be embarrassed.

The Hon. MARK LATHAM: I think the Government should be embarrassed about privatising Rosehill racecourse at the same time. It had a no privatisation policy and it has now engaged in the biggest privatisation in the history of Sydney to turn a community-owned asset into Hong Kong. I said to one of the racing officials going to Hong Kong, "Don't race off there. The Government wants to have it right here at Rosehill." The proper policy is to protect Rosehill while engaging in these other transport node policies, which make a lot of sense. That is the best policy structure. To the credit of the Minns Government, at least it is getting the latter right.

Housing supply is not the only area of neglect; waste management goes with it. It is remarkable that Sydney is now down to a landfill site at Lucas Heights and nothing else is planned or has come through in the pipeline. I do not know what the former Government was doing. It certainly was not going to supply a landfill site on the North Shore. It would not even increase housing supply, let alone manage the waste that is generated. The opportunity for a landfill site at Badgerys Creek airport should have been seized five or six years ago. All that enormous earth moving was ripe for some form of landfill to give Sydney more capacity.

Recycling is desirable, but it has reached a peak. There is only so much we can do. A lot of waste out of households and commercial and industrial sites cannot be recycled. We need landfill. The alternative, quite simply, is to train it out to places like Goulburn, which has been happening, or out to further parts of regional New South Wales. From a Sydney perspective, that is quite unfair on those regions. I urge the Minister not to copy her predecessors by delaying and postponing and doing nothing, but to bite the bullet on this matter and take some action on waste management.

HOUSING SUPPLY

EMERGENCY HOUSING

The Hon. CAMERON MURPHY (12:21): I take note of the answers given by the Treasurer and the Minister for Housing about housing supply. It is quite extraordinary—the only way to describe this is hypocrisy manifest. Opposition members say that they care about the housing problem, but that is empty and hollow. It is just words; their actions are the complete opposite. Today the Hon. Scott Farlow introduced a private member's

bill: the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill. What is that about? It is about cancelling development around train stations, where the Government is actually doing something about the housing crisis. The Government is doing what every fair-minded person in New South Wales and Sydney would accept, which is building apartments and increasing density around train stations. That bill is about protecting the leafy North Shore.

As the Hon. Mark Latham just indicated in his contribution on this issue, for years councils like Blacktown and Canterbury-Bankstown have had housing targets in the tens of thousands—58,000 and 60,000 new dwellings. And then councils like Mosman have had targets in the tens or less than 100 new dwellings. It has to come to an end. I am grateful for the policies of our Government that will shift some of the burden away from Western Sydney and make the North Shore carry more of its fair share of housing. That means that those suburbs must have an uplift. It is not unreasonable. It says, "Do your bit."

I find the division on this topic extraordinary. Sensible members of the Opposition, like the Hon. Chris Rath and the Hon. Jacqui Munro, understand that this is what young people want. In the Chamber day after day, they are arguing for more housing, recognising that there is a rental crisis and that young people are locked out of the market and something has to be done. And then only a few days later in this place, their own colleagues are attempting to put through legislation that will do exactly the opposite and lock young people out of the housing market for forever and a day. Those members are doing that in such a narcissistic way. They are saying, "Hands off our areas. We are the Liberal Party. We are in the North Shore. We don't have to contribute anything." [*Time expired.*]

MENTAL HEALTH SERVICES

REGIONAL DEVELOPMENT TRUST FUND

The Hon. NATASHA MACLAREN-JONES (12:24): I take note of comments made by the Minister for Mental Health about the mental health crisis in this State. For the past 12 months the Minister has been avoiding addressing the mental health challenges in New South Wales. In fact, last month she released a report on the same night as the Federal budget, when everyone in this country, including all the journalists in the State, were focused on the budget. She was given a report and it was finalised in December last year. We have to assume that it was given to her some time over a five-month period and yet she chose to release that report on budget night. She did that because the report looked at the community mental health gaps in this State over the past 12 months. It found that 58,000 people with chronic mental health conditions across that 12-month period were unable to access services because of shortages in work, community mental health staff and treatment.

The report also found that there was a workforce shortage, including 35 per cent of psychologists, 37 per cent of Indigenous mental health workers and 14 per cent of carer workforce. The announcement made yesterday afternoon highlighted that 35 workers are meant to fill the gap for the 58,000 people in this State that need support services. The report showed that 30 per cent of cases that the police respond to are from people with mental illness because they cannot get support and services. Furthermore, there has been a cut in community mental health beds from 230 to 20. Again, the Government expects that cut to provide support for the 58,000 people who are looking for assistance.

Finally, I touch on a Dixer that was asked to the Minister for Regional New South Wales to point out what is again being cut by this Government. Today *The Daily Telegraph* reported that Little Wings do an amazing job—and have done for a very long time—supporting young children with chronic illnesses, quite often cancer treatment. When they need to come to metropolitan hospitals for services, Little Wings flies the young people and their family to get treatment. Without Little Wings, some families could be travelling 12 or 13 hours by car. This Government has cut that funding, and it is an absolute disgrace. We hear the Treasurer taking about GST and various other things, but Ministers and the Government must realise that they are in charge. They are making these decisions to cut funding to support— [*Time expired.*]

BIODIVERSITY LEGISLATION REVIEW

Ms SUE HIGGINSON (12:27): I take note of the answer provided by the Minister for the Environment about the state of our terrible, failing environmental laws, as has been laid on the table of this Parliament by Mr Ken Henry. His report made it clear that not only are our environmental laws not achieving their purpose of protecting the environment but they are also facilitating the harm and destruction of the environment of New South Wales. Today is World Environment Day. Today, as lawmakers and policy drivers, we must reflect on our responsibility for environmental stewardship and custodianship over this State.

New South Wales is a privileged and wealthy State and yet we are, right now, today, logging the heart out of our public native forest estate. Those are some of the most incredible ecosystems on this planet. On Sunday I visited Orara East State Forest post-logging and I could not believe my eyes. The New South Wales Labor

Government has promised that this forest will be a national park, but what I saw on Sunday was heartbreaking. The once beautiful forest was literally hanging on. I saw logging that was so close to the water tributary into the Coffs Harbour water supply. I stood and saw that water supply getting polluted from the logging operation that had just taken place. I watched carnage. I saw that carnage. I saw the habitat of threatened species on the ground, smashed and trashed, and in New South Wales we are still logging our public native forest estate.

These ecosystems are so valuable. They are so valuable for our survival and for the survival of the very threatened species that we are watching pivot towards extinction. These are the forests that are so important for the water that we drink, the air that we breathe and the soils that help us farm and produce food. But in New South Wales we are still logging them, and we are losing money as we do it. Saving our public forest estate would be a massive win for all of New South Wales, so let us do it. It is World Environment Day.

ENVIRONMENTAL PROTECTION

The Hon. BOB NANVA (12:30): I take note of Minister Sharpe's comments on this World Environment Day and applaud and echo her commitment to protecting our environment for future generations. New South Wales is home to some of the world's most unique animals, like the brush-tailed rock wallaby and the giant pink slug, and ancient plants like the Wollemi pine and Gondwana-era nightcap oak—which I have learnt a lot about just now. It is a challenging time for our natural world globally. Like the ones that I have just mentioned, over 1,000 of our native plants, animals and ecological communities in New South Wales are now threatened with extinction. Only 50 per cent of those are expected to survive in the next 100 years, without effective management.

On this World Environment Day, it is important to share not just bad news but also to look to some good news. The area of land permanently secured for conservation in New South Wales has grown to about 11 per cent, and various programs are working well to protect species and ecosystems, including pest eradication on New South Wales islands, which is leading to the return of nesting shore birds. It is not all bad news; it is not all doom and gloom. There is some good news on the horizon.

The projections in the biodiversity outlook report do not include the potential impacts of key management measures that have been pursued by the Government, such as Saving our Species. Already in the past 12 months, the Government has taken a range of steps to halt the decline in biodiversity. On World Environment Day, it is important that we look to some of those; it would be remiss of me not to mention them. The Minister should take great credit for a lot of the work that has taken place in the past 12 months, like passing the Climate Change (Net Zero Future) Act and making emissions reduction a government policy; committing \$172 million to the Great Koala National Park—another great outcome; protecting more than 33,000 hectares under private land conservation agreements; adding 480,000 hectares to the national park footprint in New South Wales. These are great outcomes, all within the past 12 months.

As the Minister said earlier during question time, there is a real commitment by the Government to take action, to make responsible decisions and to work with experts and partners, including in the Kosciuszko National Park, which we will hopefully discuss later today. These milestones demonstrate what we can do when we collaborate with government, universities, conservation organisations, volunteers, experts and the community. We can get things done. Before I conclude, it is also important on World Environment Day to re-thank all of the New South Wales Government's partners and staff for the tremendous work that they do, sometimes in the face of enormous pressure.

HOUSING SUPPLY

The Hon. SCOTT FARLOW (12:33): I take note of the answer given by the Hon. Daniel Mookhey today with respect to housing. I welcome his new-found friendship with the Hon. Stuart Ayres. I know that they had many interactions when Stuart Ayres was a Minister of the former Government, and I am glad to see that Mr Mookhey is reacquainting himself with him. It should come as no surprise to anyone that, as a party which has opposed the Transport Oriented Development State environmental planning policy, we would seek to bring in legislation to make that proposal and that SEPP null and void. We do not believe it is the right way to do planning because we believe that communities should be at the heart of planning. They should not find out if their home is affected or impacted by a planning proposal when it is gazetted by the Government and circles are put up on the maps.

In areas like Kogarah, battleaxe blocks have been picked up because of a driveway, and then the neighbours are left out of that proposal. That is not proper planning. When members of this House say that this is the answer to the housing crisis, I point them to areas like Teralba and Booragul and ask how many development applications the Government is expecting in those areas. Through the privileged documents, I know what the Government is expecting—of course, I will not say it to the House. It would be interesting for the Government to outline the proposals and what it does expect in some of those areas, because we have smoke and mirrors with this proposal.

We have said from the very beginning that we agree with increased densities along transport corridors, and councils should be given the right to be able to determine how those densities are designed and delivered. If they do not, that is the appropriate time for sanctions. Of course, what we have proposed today is just giving the Parliament the opportunity to disallow those rules so that some councils would have the opportunity that the Government has already afforded to some of its mates.

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

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:35): As usual, the take-note debate is an interesting debate. I make the following points about the argument that was made by members in today's debate that somehow we have a limitless amount of money and that the decisions made by the previous Government do not matter. We need to understand what we inherited. We inherited hospitals that did not have enough nurses and closed beds. If anyone wants to talk about good or bad planning, we inherited schools that were promised many times in growing areas and were never delivered. We are playing catch-up in the areas where these communities are bursting at the seams, and we are getting on with that.

We had to deal with a range of different funding cliffs, including funding for out-of-home care for the most vulnerable children in the State. We had to deal with a previous Government that promised over \$23 billion in its last budget to spend on nothing while it let all of these funding cliffs exist. Even in my portfolio area, I had to find the money to fund 85 threatened species specialists because the previous Government had basically stopped funding them. This idea that somehow the decisions of the past do not matter in what we tackle in the future and what we are currently doing is just a furphy.

Members opposite need to take some responsibility for the terrible decisions that they made in relation to the funding cliffs that we are now repairing. This Government has spent 12 months repairing that mess. We have done not only that but also what we promised to do, which is to deliver on our election commitments as we move through. The idea that somehow Ministers just have to suck up the bad decisions, the gambles or the financial cliffs that were left, without there being consequences on the whole budget, is just wrong. We have worked very carefully to do budget repair, and we will obviously have more to say as the budget comes up in the next couple of weeks. The point is that we cannot pretend that everything started on 26 March last year and that there were no consequences for 12 years of mismanagement. Whether it is dealing with landfill or fixing the housing crisis, this Government is doing that work, and members opposite cannot just walk away from that.

I will also make a comment about the housing issue, which has been the subject of quite a lot of discussion. Today is a pretty extraordinary day when the Opposition has put up a bill to try to knock over the planning arrangements that this Government has put in place to deal with the housing crisis. I do not know how many times we have talked about this. I do not know how much public debate there has been. The Minister for Planning and Public Spaces has done an extraordinary job working with the various councils on developing a plan that will turn this housing crisis around.

We need more supply. We are also putting in place more social housing and more affordable housing—something that members opposite just ignored. They do not even agree amongst themselves. I hope that it was not the idea of the poor old shadow Minister for Planning and Public Spaces because it smells a bit like something from downstairs that has not been well thought through. The younger members of the Liberal Party know that this is wrong; the younger members of the Liberal Party in this House know that it is wrong. We have been talking about how important it is for us to build new housing. One would have thought that near public transport is probably the best place to do that. We will keep listening to the lectures from those opposite. We will continue to get on with the job of fixing the mess that they have left. Importantly, we will do that in a way that is fair, equitable and environmentally sustainable and that cares about the people at the heart of our communities.

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

Motion agreed to.

Deferred Answers

MEDICINAL CANNABIS AND ROAD SAFETY

In reply to **The Hon. JEREMY BUCKINGHAM** (15 May 2024).

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)—The Minister provided the following response:

I am advised:

In August 2022, a New South Wales Parliamentary inquiry found that additional research would be a fundamental and necessary precursor to any law reform in this area.

The New South Wales Government is currently undertaking research to better understand current evidence, experiences in other jurisdictions, and any relevant options and implications of changes. This includes internal work to scan recent research and commissioned research into the knowledge, attitudes, and self-reported behaviours of driving after taking illicit and/or prescribed drugs.

At the National Road Safety Conference 2024, Australian and New Zealand Ministers agreed that the National Drug Driving Working Group will be refocused and meet before 30 June 2024. The group will look at drug driving and report back to a future meeting of Road Safety and Police Ministers on its findings.

NATIONAL CONSTRUCTION CODE

In reply to **Ms ABIGAIL BOYD** (15 May 2024).

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)—The Minister provided the following response:

I am advised:

The New South Wales Government is currently developing a whole-of-government response to the Disability Royal Commission's Final Report recommendations. This includes that jurisdictions increase the availability and supply of accessible and adaptive housing for people with a disability through the National Construction Code [NCC], by adopting the mandatory Liveable Housing Design Standard provisions for new residential properties.

The New South Wales Government recognises the importance of accessible housing for many in our community including people with disability, those with mobility issues and seniors. The Government has previously indicated it will monitor any effects the NCC liveable housing requirements have on both building costs and housing stocks across jurisdictions which supported adoption, noting several jurisdictions have only recently commenced these provisions. This approach will provide New South Wales with the balance and flexibility to consider options to deliver accessible homes and significantly increase housing supply across our State.

STATE TAXES

In reply to **The Hon. DAMIEN TUDEHOPE** (15 May 2024).

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

Historical budget data and information on Gross State Product are publicly available. Government announcements will be made at the appropriate time.

Written Answers to Supplementary Questions

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **the Hon. BRONNIE TAYLOR** (4 June 2024).

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)—The Minister provided the following response:

I am advised:

The Commonwealth has advised the Department of Communities and Justice that the first payment under the Family and Domestic and Sexual Violence responses 2023-2025 of \$25.8 million will be received on 7 June 2024.

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

Private Members' Statements

MOTHERLAND AUSTRALIA

The Hon. SARAH MITCHELL (14:00): Today I update the House about a fantastic event I was involved in at Spring Ridge Country Club on Sunday 26 May 2024 when a packed crowd of 150 women gathered for Motherland's first Mother's Day fundraising event in New South Wales. I acknowledge the host of the event, Premier local and Motherland's New South Wales ambassador, Georgina Simson. The event was facilitated by Motherland founder and CEO Stephanie Trethewey. This was an amazing opportunity for women not just from around the north-west but right across regional New South Wales and even parts of Queensland to come together,

to connect with other rural women and to hear the panel share their personal experiences of modern motherhood. I was delighted to be asked to take part on the panel, along with Katie Fissenden, the general manager of the clothing store Antola Trading, and Steph Wanless from Armidale, the co-founder of FOUND Regional.

It was a fantastic morning with a very free flow of information. The three of us were interviewed by Stephanie Trethewey and talked about our experience as regional mothers, how we have been able to balance work and life responsibilities and things that we have learned along the way. There were a few funny stories shared, but what was said at Spring Ridge Country Club will stay at Spring Ridge Country Club! It was a lovely opportunity for us to gather and connect as regional women and to talk about the need to have those conversations and to have support from other people who are going through similar periods in their life. There were ticket sales and raffles to raise money for Motherland, which is an amazing national charity.

Motherland was started by Stephanie Trethewey, who has been acknowledged as an Australian of the Year in Tasmania, where she is from. Motherland's mission is to eliminate the isolation that many rural mothers face by connecting them to a supportive online community and offering a mothers group program that rural women with children aged all the way up to 18 can access regardless of where they live. We know that rural mums often do not have access to adequate support and services. It is really hard sometimes to find other people at your age and stage of life. This is about making sure there is a platform for meaningful connection between mums. Stephanie does an amazing podcast as well. If members have some time to listen to podcasts as they travel around in this job, then I highly recommend they listen to some of the stories that regional women tell. The Hon. Bronnie Taylor was on the Motherland podcast not long ago, and her episode is a cracker.

Motherland is an organisation that I am very happy to support, and I am absolutely delighted that I was asked to be a part of the panel. As MPs, we go to a lot of different events. This was one where I hopped in the car afterwards to drive home and thought, "My cup is full." This was a chance to engage with other really passionate and strong regional women. We shared our successes and our failures, and we were honest about our own individual challenges. I think it is important that, as women, we speak about the great things but also about those times where we sometimes feel a little more isolated. I say a big congratulations to Stephanie Trethewey and give a special shout-out to Georgina Simson for organising a great day. I thank everyone who was part of it.

RECONCILIATION AUSTRALIA

The Hon. ROBERT BORSAK (14:03): There is a glaring need to question the role of Reconciliation Australia, which is pressuring many within New South Wales to implement reconciliation action plans. Despite vast investments by our governments, Reconciliation Australia demands we tackle the "unfinished business" of reconciliation. This overlooks the significant strides already made: Reconciliation Week has been held since 1996, Prime Minister Kevin Rudd apologised in 2008 for the treatment of Indigenous people, and the New South Wales Government has spent \$1.2 billion from 2023-24 on Indigenous areas. It has to be asked: Will New South Wales ever be reconciled enough to please some of the extremist and elitist sections in our society?

Reconciliation Australia alleges that only the 6.2 million Australians who voted yes in the recent referendum are committed to better outcomes for Indigenous people. This narrative disregards the voices of numerous Aboriginal people and other Australians who voted no. Many felt the referendum was another example of city-based elitist activists dictating their lives. This majority were not satisfied with our Prime Minister's threadbare arguments for the Voice. Local government webinars promoting extreme Indigenous ideology are troubling. For instance, Summer May Finlay's piece entitled "Where do you fit? Tokenist, ally—or accomplice?" derides the efforts of non-Indigenous Australians to build harmonious relationships with Indigenous communities unless they satisfy Finlay's rigid standards.

Even spouses and long-time advocates are found wanting; it is demanded they silence their voices due to perceived cultural privilege. Let me be clear: There is no such thing as cultural privilege in modern Australia. How can a week dedicated to reconciliation advocate such divisive messages? True reconciliation is about respect, understanding and collaboration, not coercion and cancelling. The Shooters, Fishers and Farmers Party respects Australian Indigenous culture and honours traditional hunting, fishing for food and connection to the land.

Reconciliation Australia's assertion that almost 30 years of healing efforts have been fruitless is not unifying and is just plain wrong. The overwhelming majority of those with Aboriginal DNA want to be identified as Australians and not as a group apart from all other Australians. It is unacceptable to burden non-Indigenous New South Wales citizens with the guilt of crimes that they never committed. The New South Wales Government must critically examine the flawed ideology promoted by Reconciliation Australia and halt initiatives that seek to divide New South Wales rather than unify us.

RAIL WORKER SAFETY

The Hon. MARK BUTTIGIEG (14:06): All workers deserve safety in the workplace, and our frontline rail workers are no exception. The abuse experienced by rail workers has been long documented. The Rail, Tram and Bus Union has campaigned for decades on this issue. For example, the RTBU and the Transport Workers' Union joint national campaign "Enough is Enough" has been running since 2016 to call for action against the abuse of public transport workers. Rail workers have daily face-to-face interactions with the public. There were over 24 million train trips made this April alone. When commuters are frustrated with train services, rail workers bear the brunt. This only worsened during the pandemic, and particularly in 2022, when the former Liberal-Nationals Government publicly demonised rail workers during an industrial dispute.

I have been told firsthand that the verbal and physical abuse has not improved. In February two commuters assaulted a train staff member, harming his eye and arm, after the staff member stepped in to assist police officers who were asking to see the passengers' tickets at Mount Druitt station. In another horrible incident, reported in April, police charged a man for sexually touching a female Sydney Trains worker in Parramatta. I have also been told firsthand of another frightening recent incident in Sydney where a member of the public threatened a rail worker's life. No-one deserves to be abused in their workplace. It cannot be tolerated.

It is not only New South Wales that is seeking to combat this issue. In early March, 9News released a report finding that every day in Melbourne one member of staff and one commuter are assaulted on public transport. In July last year the ABC wrote that the high levels of abuse towards train staff in the Australian Capital Territory had not levelled out since the pandemic. In response, an advertising campaign was launched against violence towards public sector workers. I commend all our rail workers, who are working very hard every day, and the RTBU for bringing this important issue to my attention and continuing to fight hard for its members. The New South Wales Government is committed to protecting frontline workers. Members will remember the recent legislation we introduced to protect retail workers. The same protection needs to be afforded to our frontline workers, in particular rail and transport workers.

CENTRAL COAST MARINERS

The Hon. SCOTT FARLOW (14:09): Following their triumphant season last year, the Central Coast Mariners rallied back in the grand final to win the A-League Men championship in back-to-back seasons, becoming the first Australian team to win the "treble" by taking out the A-League premiership, the A-League championship and, of course, the AFC Cup. The final was not the 6-1 drubbing of last year's match. It had plenty of drama, with the Mariners winning 3-1 in extra time to win the championship and their goal to equalise scored in penalty time at the end of the second half. It is always good to beat a Melbourne team, particularly Melbourne Victory, and especially good to see a victory over a Melbourne team two years in a row.

I give a special congratulations to Ryan Edmondson for his two goals to tie and win the game, and to 18-year-old Miguel Di Pizio for his go-ahead goal in extra time. The Mariners not only found success in the A-League but also won on debut in the AFC Cup, winning the final 1-0 and dominating throughout the knockout competition. The AFC Cup was truly a magnificent way to put the Central Coast on the map and raise awareness of the tourism economy on the Central Coast to potential international visitors—maybe not as great a way as the Usain Bolt stint for the Central Coast Mariners in the past but no doubt getting extra eyes on the coast. Under the astute leadership of A-League Coach of the Year Mark Jackson and the unwavering support of chairman Richard Peil, the Mariners have displayed a level of football that resonates with the passion of the Central Coast community.

The squad, a blend of experience and youthful exuberance, has been pivotal to the Mariners' success. I cannot fail to mention Danny Vukovic and his wonderful role in the team. In 2005 he debuted in the A-League with the Mariners, and he finished his career at this championship with the Mariners. We wish him the very best of fortune in his future endeavours. Vukovic had a great record in the A-League, with the most A-League clean sheets of any goalkeeper. In fact, he was the only goalkeeper to have scored a goal in the A-League. However, the great successes are not just about the victories; they are about the spirit of football and the unity it brings to the community. That has been shown in no greater way than by the Central Coast and its beloved Mariners. The Central Coast Mariners have embodied that spirit and their success has been a source of inspiration for the region as the pride of the Central Coast. The Central Coast will continue to support and celebrate the Mariners as they seek to make it three in a row for the first time in A-League history next season. Up the Mariners!

SEXUAL ASSAULT COMPLAINTS

Ms ABIGAIL BOYD (14:12): Recent statistics from the NSW Bureau of Crime Statistics and Research show that in 2022 only 15 per cent of sexual assault complaints reported to the NSW Police Force resulted in the commencement of criminal proceedings. Unfortunately, the antiquated New South Wales police Computerised

Operational Policing System, or COPS, cannot provide us with further information on why police did not commence legal proceedings in those matters, with three-quarters of all sexual assault incidents where no formal action was taken having no reason recorded by police. Further, as I have raised many times over the past five years, COPS is not capable of extracting summary data on that point in any event.

New South Wales has for years lagged behind the rest of Australia in being the only jurisdiction not able to provide data on the reasons for the discontinuation of sexual violence proceedings by police. The new system set to replace the COPS database, the Integrated Policing Operational System, or IPOS, has had its implementation delayed for years. It has now been 11 years since the project was first commenced to establish IPOS. I was told by the New South Wales police in budget estimates earlier this year that, after millions of dollars spent on various contractors and an expensive legal dispute, that functionality will not be delivered until mid-2027. Requiring New South Wales police to keep a record of the reasons a sexual assault complaint is withdrawn or discontinued at the police investigation stage, and enabling that record to be easily extracted, would provide crucial data to analyse and investigate the reasons the police investigation stage is the largest point of attrition of sexual assault complaints, as well as the reasons many victims of sexual assault are reluctant to report their assault to police.

Only 6 per cent of reported adult sexual assault incidents result in a proven charge. There has been a lot of focus in the first half of this year on how to improve the justice system for sexual assault victim-survivors from prosecution through to sentencing, but we have not even begun to understand just how significant the obstacles are to reporting to police in the first place and having police adequately investigate, gather evidence and build the case for prosecution. Collecting that information would not be hard and our inability to do so leads me to conclude that it has just not been a priority for the New South Wales police, for this Labor Government or for the Coalition Government before it.

It is time for the New South Wales Government to take leadership on this issue. The statistics paint a grim picture of the devastating ways in which our justice system fails victim-survivors of gendered violence. It is not enough to respond to discrete issues in specific horrific and high-profile cases that seize the public attention. The statistics demonstrate a genuine systemic issue, plagued by a mix of under-resourcing, inattention and ignorance. I am once again calling on the New South Wales Attorney General to require that the Department of Communities and Justice urgently conduct a whole-of-system review of the New South Wales justice system in relation to the handling and management of sexual assault cases at all stages of the justice system to ensure that victim-survivors in our State are able to achieve justice.

FEDERAL GROWING REGIONS PROGRAM

The Hon. STEPHEN LAWRENCE (14:15): I recognise five important grants awarded to a wide range of deserving recipients in my duty electorates of Barwon, Orange, Dubbo and Cootamundra last week. They were all awarded under round one of the Federal Growing Regions Program, which has committed \$600 million over three years from 2023-24 to fund proposals from local government entities and incorporated not-for-profit organisations for capital works projects that deliver community and economic infrastructure across regional and rural Australia. Five grants were made to projects in the Federal electorate of Parkes alone, with a total value of over \$30 million—the most received by any Federal electorate in the State. That is a significant allocation of resources to a deserving and comparatively socially disadvantaged electorate. It has occurred because the Federal Government has committed to ethical, efficient and merit-based procedures for allocating grants of public money.

Even my Federal local member, Mark Coulton—a great bloke—seems to have been shocked into silence. Not even he has been able to attempt to mount an argument that Parkes has been shortchanged. In Orange, the Parkes Shire Council—notably not in the Federal electorate of Parkes—was awarded \$943,738 for a project to construct bird hides and boardwalks in its wetlands to support habitat creation and increase visitors to the area. In Cootamundra, Cowra Shire Council will be able to facilitate a modernised upgrade to the Cowra Aquatic Centre—a vital sporting and recreation asset for the community—with \$4,890,000 in funding, and finally replace the centre's ageing and damaged pool infrastructure. In Dubbo, the Wiradjuri Cultural Tourism Centre and Keeping Place project—an important cultural asset—will be realised. A \$7 million grant will allow for art installations, storytelling rooms, a retail space and large outdoor area. According to the mayor, it is the biggest capital grant Dubbo has ever received.

In Barwon, the Brewarrina PCYC will be realised with a \$10 million grant for a new youth hub and indoor sports centre. The new multi-sport indoor facility, gym and amenities is a first for that socio-economically disadvantaged community. It will be an important and wonderful place of sporting and community activity and youth engagement, and will improve health, wellbeing, social inclusion and equity outcomes. In Barwon, Narrabri Shire Council will receive \$1,483,000 to complete the last stages of the Narrabri tourism and cultural precinct, which will be a community hub and attractive tourism destination. It includes new infrastructure, caravan parking areas, playgrounds and outdoor dining areas. I commend the Albanese Labor Government for delivering those grants and recognise the ongoing advocacy and support of Senator Deborah O'Neill for the deserving Federal

electorate of Parkes. The projects are important and show that Labor delivers for country New South Wales with ethical grant programs.

WOMEN AND SMALL BUSINESS

The Hon. AILEEN MacDONALD (14:18): I take the opportunity to acknowledge the role of women in small business, which is the engine room of our economy. Research shows New South Wales has almost 850,000 small businesses, which account for 34 per cent of all Australian small businesses. One-third of those businesses are in rural New South Wales. Furthermore, women-owned businesses represent 35 per cent of Australian businesses. Female involvement in small business is significantly understated, with many women acting in key advisory and support roles in the running of family businesses.

I bring this to the attention of the House because 1.7 million people are employed by New South Wales small businesses, accounting for almost half the State's private sector workforce. Those figures are critical at a time when we are going through a cost-of-living crisis. Small business is the unsung hero of our economy. Small businesses do it tough but are resilient to adversity and remain the backbone of many communities. I know because I have been a small business owner. I know the pitfalls and the blessings. Business owners need to be across everything in the business. They need to become an expert in human resources, recruiting, accounts payable and accounts receivable, and having difficult conversations with staff.

I am aware of the things beyond one's control, like interest rates, the cost of electricity and the other essential services needed to run a business. Unbeknownst to many, those in small business acquire new skills just to survive—public relations, marketing, basic accounting, customer service, managing workers compensation insurance portfolios, comprehensive insurance portfolios and fleet management. Sometimes it is learning to drive a car, a ute, a truck or a forklift. Those of us who have owned a small business in regional New South Wales understand that you learn to just get on with the job. I learned to drive a forklift so I could load and unload pallets of produce. If members are wondering, I still hold my forklift licence.

The Hon. Jeremy Buckingham: Hear, hear!

The Hon. AILEEN MacDONALD: You never know when you could use it in a place like this! I invite this House to recognise that those 35 per cent of women who own businesses constantly face the brutal reality of making sure their employees are paid before anything else, navigating the banking, legal, accounting and wages demands. It can be a burden for families in small business, especially for those unaccustomed to dealing with regulatory frameworks. This is not a whinge. It is a salute to those who drive the New South Wales economy, with \$465.3 billion in annual sales and service income. I let all those involved in small business, especially the women, know they are truly valued in the community, especially those in rural and regional New South Wales.

JOBS AND INVESTMENT

The Hon. JEREMY BUCKINGHAM (14:21): Last week the Department of Regional NSW, under Minister Houssos, released the *Future Jobs and Investment Authorities Issues Paper*. A lot of big issues have the attention of the Government, such as housing, balancing the budget, climate and net zero. But I believe the biggest issue facing regional New South Wales is how we manage the transition away from coal in this State. It is writ large in the Government's document. I have been calling for a just transition for 20 years. We have not got on with that work. I have been raising the issue that the money for the Future Jobs and Investment Authorities is to be put in the freezer until 2028-29. I have been especially raising the plight of the Central West and a city like Lithgow, where the power stations are turning off and the coalmines that feed those power stations are heading towards an economic cliff. I commend the councils and organisations across the State that are working on the transition.

I call on the Government—especially the Treasurer—to pay attention to what is in this document. It states that one of our largest export industries, and one of our largest employers, is heading off a cliff as we transition globally to net zero in the next eight years. The document states that we will lose 40,000 direct and indirect jobs in the Central West and Upper Hunter in the next eight years. That is working on the assumption, according to the International Energy Agency, that there will be a 30 per cent international decline in coal; however, people expect that to be 50 per cent. Those communities are heading towards an economic cliff. In Lithgow, coalmining and the power stations are 45 per cent of the economic output and 45 per cent of the town's employment. Those people need a future. They need investment right now.

I call on the Government to fast-track the funding for the Future Jobs and Investment Authorities. Do not wait until 2028-29. Some 40,000 jobs will disappear in this State on this Government's watch. It has to act now. We need to make sure we are looking at those future industries and investing in those smart ideas. We need to make sure we do not hang out to dry those communities that have provided hundreds of billions of dollars worth of royalties and kept the lights on for far too long, especially a place like Lithgow. The people there have been neglected by governments for generations. It is time for us to give back—to provide jobs for the future. Look at

the industries in renewables and advanced manufacturing, and do it now. Some 40,000 jobs are going very soon. We need to find a solution now.

CLIMATE CHANGE

The Hon. PETER PRIMROSE (14:24): I briefly refer to an article that recently appeared in *The Conversation* by Liz Hanna, the Honorary Associate Professor in Environmental Health at the Australian National University, "The Delhi heatwave is testing the limits of human endurance. Other hot countries should beware and prepare". It may seem strange to talk about that in the middle of winter, but December, January, February and March are coming. Now is the time that we need to start considering and preparing. Hanna writes:

Delhi is reeling from the most extreme heatwave India has ever seen. The city has been sweltering, with top temperatures ranging from 45.2°C to 49.1°C, at the limit of human endurance.

This event follows hot on the heels of extreme heatwaves across Asia as well as Africa.

...

Fortunately, India's current heatwave conditions are expected to ease ... But the death toll is likely to rise, as people succumb to multiple health effects. Extreme heat has a long tail of destruction. Almost every chronic health condition is made worse by exposure to such temperatures.

Australians should take note. We are not safe, and we need to prepare for heat to hit us just as hard. It could even be worse here, because people with air conditioning can be lulled into a false sense of security. There's no guarantee these air con units will extract enough heat to effectively cool our living and working areas ...

When you're hot, your body tries to cool off by sweating. This involves sending blood to the surface. Blood vessels at the skin dilate and the skin looks flushed, but this causes your blood pressure to fall. The heart has to work harder.

When we cannot shed that excess heat, our core temperature increases. At the microscopic level, cellular damage occurs. Extended heat exposure can lead to organ failure and death.

The "wet bulb globe temperature" factors in the humidity of the atmosphere. High humidity—

so well known to those of us who live in Western Sydney—

means the air is already saturated with water, so sweat on our skin doesn't evaporate and we don't get that cooling mechanism.

There is a lot that could be said about this, and I do not have very long. People keep talking about climate change. We know that the average temperatures over time are increasing. We also know that not everyone has access to adequate air conditioning, particularly the homeless and those people who are elderly and cannot continue to afford to run air conditioners 24/7. I urge all members to continue to focus on this issue.

NURSES AND MIDWIVES

Dr AMANDA COHN (14:27): Nurses and midwives in New South Wales deserve a raise, not just praise. The Government has boasted that its 10.5 per cent pay offer is historic, but that is after more than a decade of the public sector wage cap, an outrageous 0.3 per cent pay rise at the height of the pandemic, and a below-inflation pay rise last year, which meant a pay cut in real terms. This offer is really 3.71 per cent per year after taking into account mandated super. New South Wales lost 13.1 per cent of its nursing workforce in 2022-23. Those workers are leaving to go interstate or abandoning the profession altogether. The New South Wales Government cannot continue to exploit the compassion of those workers.

I put on record what nurses and midwives themselves have to say. Wendy says, "It's hard to be enthusiastic and proud of my job when I see my colleagues leaving for jobs interstate because they are valued by their government and paid accordingly." Nicole says, "We sacrifice so much of ourselves being a nurse already. Why would we sacrifice being paid fairly?" Jamie says, "We are the backbone of a healthy community and support everyone indiscriminately, yet we're struggling to provide for ourselves and our own families anymore."

Catherine says, "Our rate of pay should be comparable to other industries, which pay for years of study, high demand and risk." Dianne says, "I have been spat on, vomited on, coughed on, pooped on, weed on, verbally abused, physically assaulted, gone without a break on 12-hour shifts. Enough is enough. Value us please." Danielle says, "We are being taken advantage of because of our caring nature. We could go work in retail and earn more money." Nicole says, "My daughter is doing her HSC this year and she asked me if she should follow in my footsteps. I said, 'No.'" Abby says, "I'm not sure how much longer I can continue working through the undervalued exhaustion of rotating shift work without adequate remuneration." Belinda says, "If I worked the hours that I do in the transport industry, I would lose my licence and be fined thousands of dollars for endangering the public."

Taylah says, "When the difference between life and death is me bagging your intubated loved one so they continue to breathe, my role is worth more than \$41 per hour." Monica says, "How much are nurses and midwives worth when your loved one's life is at stake?" If the New South Wales Government is listening, it will give nurses and midwives a pay rise that at a bare minimum brings their pay into line with other States. The Nurses and

Midwives' Association is asking for 15 per cent. The Premier said that the State cannot afford that, but in reality, we cannot afford not to pay nurses and midwives what they are worth. The health of every community we represent depends on it.

Budget

ATTENDANCE OF THE TREASURER IN THE LEGISLATIVE ASSEMBLY

The PRESIDENT: I report the receipt of the following message from the Legislative Assembly:

Invitation to Treasurer to attend the Legislative Assembly

MR PRESIDENT

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

That the Legislative Assembly invites the Hon. Daniel Mookhey, MLC, Treasurer, to attend the Legislative Assembly on Tuesday 18 June 2024 at 12 noon to give a speech of unlimited duration in relation to the New South Wales budget 2024-2025.

Legislative Assembly
5 June 2024

GREG PIPER
Speaker

The Hon. PENNY SHARPE: I move:

That the Legislative Assembly's message be considered forthwith.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That this House agrees to the request in the Legislative Assembly's message of 5 June 2024 for the Hon. Daniel Mookhey, MLC, Treasurer, to attend the Legislative Assembly on Tuesday 18 June 2024 at 12 noon to give a speech of unlimited duration in relation to the New South Wales budget 2024-2025.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

The PRESIDENT: It being after 2.30 p.m., according to the determination of the Business Committee of Tuesday 4 June 2024 proceedings are interrupted to allow private members' business item No. 1024 to take precedence until concluded or adjourned.

Bills

ROAD RULES AMENDMENT (HELMETS—SIKH EXEMPTION) BILL 2024

First Reading

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

Second Reading Speech

Ms CATE FAEHRMANN (14:33): I move:

That this bill be now read a second time.

Waheguru ji ka khalsa, Waheguru ji ki fateh. As The Greens' transport and Western Sydney spokesperson, I am very proud to introduce the Road Rules Amendment (Helmets—Sikh Exemption) Bill 2024 and give voice to the Sikh community in the New South Wales Parliament today. Sikhism is one of the world's largest religions, and approximately 50,000 Sikhs call New South Wales home. They make an incredible contribution to the community. Whether as one of the first organisations on the ground after the Black Summer bushfires hit or after the devastating floods, we have all seen the fantastic work of, for example, Turbans 4 Australia providing food and other essential goods to communities left with nothing, often before government agencies arrive.

That is why when members of the Sikh community visited me a few months ago to raise their concerns about how a law in this State is discriminating against them because of their faith, I sat up and took notice. They told me of the importance of the turban to their faith and how our compulsory helmet laws mean Sikhs have to forgo riding motorcycles, bicycles and e-scooters. The bill grants Sikhs who wear turbans exemptions from our helmet laws and follows other jurisdictions with large Sikh communities that have grappled with the issue of how

to ensure that Sikhs are able to fully participate in activities we all take for granted. I acknowledge from the outset there are challenges as to how best to do this while not adding to road fatalities.

But firstly, to understand why this reform is so important to Sikhs, we need to understand the importance of the turban to the Sikh faith. The Sikh tradition traces its history back to the birth of Guru Nanak, the founder of the Sikh religion, in 1469 in the Punjab region, which is split between Pakistan and the north-west of India. The word "Sikh" means "learner" or "seeker of truth". Guru Nanak was disillusioned by social distinctions, including gender, race and caste, and set out to promote social equality. Sikhism advocates equality, social justice, service to humanity and tolerance for other religions. The essential message of Sikhism is spiritual devotion and reverence of God at all times while practising the ideals of honesty, compassion, humility and generosity in everyday life.

Sikh women and men maintain five articles of faith, one of which is kes, being long, uncut hair. Turbans are an incredibly important part of Sikh identity. The turban symbolises spirituality, holiness, honour and self-respect. Both women and men wear turbans. Sikhs with uncut hair are prohibited from removing their turban in public or when they are on the move. Turbans may vary according to regional styles and can differ considerably in size, shape, density and other characteristics. Despite some efforts, it has not been possible to design a suitable helmet that would fit over them.

During the two world wars, turbaned Sikh soldiers who fought with Allied forces, including at Gallipoli, refused to wear helmets. The Indian Sikhs make up just 2 per cent of the Indian population, but in both world wars they represented more than a quarter of the Indian Commonwealth contribution. Sikhs are a peaceful people but in times of trouble throughout history they have stepped up to fight alongside nations, and they are fierce warriors, all while wearing their turbans. Sikhs are of the strong view that, just as we have accepted them onto the battlefield wearing turbans as all other soldiers wore helmets, we should do the same for them for motorbikes and bicycles. That is what the founder of Turbans 4 Australia, Amar Singh, believes.

The recipient of the Australia's Local Hero award in the 2023 Australian of the Year Awards, Amar says that wrapping his turban around his hair can take up to half an hour and is both a practical measure and a spiritual crown. For his thirty-eighth birthday, Amar's wife bought him a motorbike. However, he has not been able to ride it. Amar also cannot take his young son for a ride on his bicycle either because, like motorcycle helmets, bicycle helmets are compulsory in New South Wales. I have heard stories of Sikh students who want to ride bicycles home from the train station late at night but cannot and Sikhs who want to ride a bicycle to the gurdwara, the Sikh temple, particularly older people who cannot drive. The public transport options in that area are very limited.

The Sikh community has been asking for this exemption for a long time. More than a decade ago, members of the Australian Sikh Association launched a campaign to get a helmet exemption for bicycle riding, presenting a petition for it with 885 signatures to the Blacktown council in 2013. Since then, they have lobbied many local members, Ministers and Premiers. One of the community members who met with the roads Minister a few years ago, Jugandee Singh, was quoted in the media as saying:

Everyone from the community wants to see this happen. We have for years been requesting every politician who visits the Sikh temple for this change, but the issue is far from over. If other states can have these exemptions then why can't we have it in NSW?

That is referring to bicycle helmets. Victorian cyclists can exempt themselves on religious grounds from wearing helmets while riding a bicycle; however, motorbike riders must still wear a helmet. The Australian Capital Territory, South Australia, Western Australia and Queensland have similar exemptions for bicycle riding, making New South Wales the only State without an exemption to its bicycle helmet laws. Our fines for riding without a bicycle helmet are more expensive than in other States. New South Wales cyclists caught riding without a helmet are fined \$344, while in Victoria it is \$207, in Queensland it is \$126 and in Tasmania it is \$119.25. Riders in the Northern Territory—where helmets are not compulsory for cyclists aged 17 and over—are fined \$25. When introducing the bicycle helmet exemption for Sikhs in the Australian Capital Territory, my Greens colleague Minister and Attorney-General Shane Rattenbury said:

Canberra is a community where everyone should feel included. The Territory supports individuals practising their religion or belief and this regulation ensures that sections of the community are not excluded from active forms of transport.

Other jurisdictions around the world have introduced exemptions to ensure that Sikhs who ride motorbikes are not discriminated against due to their religion. Introduced in the 1970s, the United Kingdom's Highway Code, for example, provides an exemption for motorbike and scooter riders and their passengers if wearing a turban. Concerns were expressed at the time that this exemption would lead others to "clamour for exemption"; however, almost 50 years later that has not been the case. In New Zealand, Sikhs who wear turbans can ride a bicycle without a helmet, and a motorbike up to 50 kilometres per hour. Sikh motorcyclists and their passengers who wear a turban have been permanently exempt from wearing a helmet in a number of jurisdictions in Canada, including in British Columbia, since 1999 and Ontario—Canada's most populated province—since 2018. In an opinion piece

written after Ontario's law change, Jeeventh Kaur, a medical student and member of the Sikh Motorcycle Club of Ontario, wrote:

Concerns about safety are most commonly cited in discussions about helmet exemptions, but 22 years of riding with turbans have yielded precisely zero fatalities among Canadian Sikh motorcyclists.

Statistics on motorcycle fatalities in Canada between 2016 and 2020 showed that alcohol or other drugs, loss of control, speeding, lack of experience, and weather or road conditions were all more attributed as a factor than helmet wearing. The change in law in British Columbia was because of a case taken by Avtar Singh Dhillon, an orthodox Sikh, to the British Columbia Human Rights Commission. The British Columbia Human Rights Tribunal ruled that Mr Dhillon had been discriminated against when he was denied the right to take a motorcycle licence test in 1995 because he refused to remove his turban to wear a helmet. At the time of the ruling Mr Dhillon said:

This has been a struggle for many years. I used to feel like a third-class citizen, but now I feel like every other citizen in this country.

Reporting at the time of the tribunal hearing included commentary from Mota Singh Jeeta, a former president of the Khalsa Diwan Society, a Sikh gurdwara in Vancouver. Mr Jeeta criticised the argument that Sikh motorcyclists should not be exempt because taxpayers should not be responsible for paying for the medical costs of brain injuries that could result, as had been argued by British Columbia Government lawyers. Mr Jeeta said that argument was "a meagre excuse to deny a Sikh the right to practise his religion" and the British Columbian public already paid to treat the brain injuries of drink drivers. In relation to safety fears, Jagmeet Singh Mangat from the Sikh Motorcycle Club Australia says:

Our aim is to attain that freedom of choice where a turban wearing Sikh can choose whether to wear a helmet or not.

We love riding motorcycles and have been riding them safely back in India for decades wearing turbans ...

Up until the 1980s, motorbike riders could apply for helmet exemptions in New South Wales. Then, in 1984, data from the Joint Select Committee on Road Safety showed that 2,272 helmet exemptions were in effect, with just three of those being for religious grounds, including being of the Sikh faith. The majority of exemptions granted were for medical reasons, such as headaches, head injuries and head surgery. However, the provisions allowing for these exemptions were repealed in 1992. I believe it is time that, for a small number of people in our community who are of the Sikh faith, we revisit our laws.

I turn now to the provisions of the bill. The bill seeks to amend three provisions of the Road Rules 2014. The amendments are simple. Part 1 seeks to amend rule 256 to provide for an exemption to the requirement for the rider of a bicycle to wear an approved bicycle helmet if they are a follower of the Sikh religion who is wearing a turban. Part 2 seeks to amend rule 262-9 to provide for an exemption to the requirement for a person riding an electric scooter to wear an approved bicycle helmet if they are a follower of the Sikh religion who is wearing a turban. Part 3 seeks to amend rule 270 to provide for an exemption to the requirement for a person riding a motorbike to wear an approved helmet if they are a follower of the Sikh religion who is wearing a turban, are 18 years of age or over and have their full rider licence. The exemptions do not apply to passengers, meaning passengers on motorbikes or in sidecars or bicycle trailers still need to wear helmets.

I understand that many will be concerned about the impacts that not wearing a helmet could have on an individual in the case of an accident, even if they are wearing a turban. Research on whether turbans provide additional protective benefits—and, if they do, the extent to which they do—is limited. There have been studies that show that the way a turban is wrapped can have a significant effect on the risk and nature of a head injury in the event of an accident, but more research is needed in this area. I note that mandatory requirements to wear helmets also extend to outdoor sports in several jurisdictions, which leads to the exclusion of and non-participation by Sikhs in these sports, including as children.

If this bill does not get the support of enough members to pass, as transport and roads spokesperson for The Greens I wish to briefly mention another issue that my office has been contacted about that needs addressing. Sikh children who wear the patka require specialised helmets if they are to ride a bicycle. These helmets accommodate their joora, a Punjabi term for a type of bun where their hair is neatly tied on their head and is covered up with a smaller version of a turban called a patka. The helmets feature a unique space where the joora can comfortably fit. However, these helmets do not currently meet the Australian standards for bicycle helmets.

Regrettably, this means that many Australian Sikh children are prevented from riding a bike due to not having the regulated headgear that ensures their safety. In Canada, Bold Helmets founder, Tina Singh, has designed a helmet that meets the Canadian and United States safety standards, fitting over a Sikh child's joora. In fact she was determined to get additional certifications to make sure the helmets would be safe for skateboarding as well. Here in Australia these helmets are not available. It is up to the Federal Government to amend the bicycle helmets safety standard to include appropriate helmets for Sikh children. I urge the New South Wales roads Minister to work with his Federal counterpart to explore this.

The Australian Law Reform Commission has said that freedom of religion is infringed when a law prevents individuals from practising their religion or requires them to engage in conduct which is prohibited by their religion. It is hard not to come to the conclusion that this is what is happening to Sikhs when they are not able to ride motorcycles, bicycles, e-scooters and even participate in some outdoor sports. I understand that various Labor MPs have been approached over a number of years regarding this issue. At last year's budget estimates hearings I raised the issue with the Minister for Roads—who is present beside me in the Chamber—who agreed to meet with members of the Sikh community to discuss the issue, and I thank him for that. I understand that discussions have taken place, which is encouraging. However, it is time to progress this debate to solutions that will enable people of the Sikh faith who wear turbans to be able to participate in activities where those of us who do not wear turbans are required to wear helmets.

I thank Mav Dhir, co-founder of the Singhs Social Motorcycle Club Australia, who is here today, for first raising this important issue with me. I thank other members of Sydney's Sikh community for their ongoing outreach and engagement with The Greens and my office on a range of different issues on which we share common values. Some of them are present in the gallery today: Australian Sikh Society's Nishan Singh, Sukhjinder Pal Singh, Kulwinder Singh and Jatinder Pal Singh Lamba; Sovereign Sikh Society's Samar Kohli; Shabir Singh, The Greens candidate for Blacktown Ward; and Singhs Foundation's Mavleen Singh Dhir, Harkaran Shergill, Randeep Singh Rathore and Birinder Singh. If there is anyone else in the public gallery who I have failed to mention, I thank them for being here today.

I also thank Richard Hurford and the team of legislative drafters at the Parliamentary Counsel's Office for their, as always, excellent advice and assistance with drafting the bill. I also thank Jess Holgersson from my office for her excellent work. Today also happens to be Jess's birthday, which we must put on record. I thank her for working today. I put forward this bill in the hope that it will spur action from the Government to find a solution to the situation many Sikhs in this country are in. I understand that this will probably require further inquiry, and I welcome that. This is the beginning of action I hope to see so that Sikh motorcyclists wearing turbans will be able to ride legally in the very near future. That will be a wonderful thing to see. I commend the bill to the House.

Debate adjourned.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS

The Hon. BOB NANVA: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to private members' business item No. 975 standing in the name of the Hon. Jeremy Buckingham.

Motion agreed to.

CONDUCT OF BUSINESS

The Hon. BOB NANVA: I move:

That, notwithstanding anything to the contrary in the standing and sessional orders or the determination of the Business Committee, if not adjourned earlier, debate on private members' business item No. 975 standing in the name of the Hon. Jeremy Buckingham relating to the Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024 be interrupted after 40 minutes and set down on the *Notice Paper* as an order of the day for the next sitting day.

Motion agreed to.

Bills

LIMITATION AND CIVIL LIABILITY AMENDMENT (PERMANENT STAYS) BILL 2024

Second Reading Debate

Debate resumed from 15 May 2024.

The Hon. DANIEL MOOKHEY (Treasurer) (14:52): The Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024 has been introduced by my good friend the Hon. Jeremy Buckingham. The intended purpose of the private members' bill is to give statutory expression to the reasons of the majority of the High Court in *GLJ v The Trustees of the Roman Catholic Church for the Diocese of Lismore* by amending the Limitation Act 1969 and the Civil Liability Act 2002 to set out matters a court must consider when determining a permanent stay application in relation to child abuse matters, allow settlement agreements in relation to child abuse claims made before the commencement of the private members' bill to be set aside, and allow child abuse claims that were permanently stayed before the commencement of the private members' bill to be appealed outside the 28-day time limit for appeals.

The Government understands the desire to improve access to justice for child sexual abuse victim-survivors and this is, of course, a commendable aim. I have been advised by the Attorney General that he had a very productive meeting with the Hon. Jeremy Buckingham, reflective of the respect and appreciation that we have for him and his important contributions in this place. I acknowledge his leadership on this issue in both this Parliament and the previous Parliament in which he served. Without revealing confidences, I am advised that the Attorney General was able to assist the Hon. Jeremy Buckingham by advising that there are now two significant cases before the High Court dealing with permanent stays and considering the impact of the decision in GLJ. Arguments in these two cases go to the application of the decision in GLJ and, in respect of one of the cases, also challenges aspects of that decision.

The Attorney General respectfully explained to the Hon. Jeremy Buckingham that, while we sympathise with the intent of the bill, that fact alone means that the Government will not be able to support this bill at this time. The bill as intended seeks to provide clarity, but it would not be advisable for the House to proceed with legislation in the face of two pending decisions from the full bench of the High Court. In addition to that, there are other reasons the Government does not believe the bill should be proceeded with at this time. The Royal Commission into Institutional Responses to Child Sexual Abuse expressly recommended that a court's existing jurisdiction and powers to stay proceedings be preserved, following the removal of the limitation period. Any decision to move away from this recommendation by restricting the availability of permanent stays needs careful consideration.

I am advised that the Attorney General has sought advice and views from a number of legal experts and sources and has come to a view that there may also be constitutional issues with the bill as drafted. The bill purports to direct the court on how to exercise its inherent jurisdiction to permanently stay proceedings and is therefore at real risk of constitutional invalidity—namely, the exercise of judicial powers that can only be inherently exercised by a court. Enacting legislation that could be subject to constitutional challenge may ultimately increase litigation, costs and uncertainty for victim-survivors.

The proposal to set aside settlement agreements for child abuse claims is extremely broad and goes beyond the limited purpose of remedying agreements entered into before GLJ's clarification of the law on permanent stays. The proposed amendment will have the effect of potentially reopening any settlement agreement entered into before the private members' bill passed that may be considered "not just and reasonable in the circumstances", even if the agreement was not influenced by permanent stay considerations. Setting aside settlement agreements in the circumstances prescribed in the private members' bill could also undermine the finality of settlement agreements that have already been made.

In turn, defendant organisations may become reluctant to engage in the settlement process and may instead choose to go to trial rather than engage in settlement discussions. This could have a detrimental impact on victim-survivors by increasing costs, extending the time taken to resolve disputes and subjecting victim-survivors to trial. A decision to set aside a settlement agreement influenced by the threat of a permanent stay gives rise to complex considerations. The decision in GLJ, while making a permanent stay less likely in child abuse cases, nevertheless preserves the court's inherent jurisdiction to permanently stay claims. This bill intends to also preserve this inherent power. Consequently, there is a risk that an existing settlement may be set aside, but the underlying claim may be permanently stayed by a court at a subsequent hearing. This would have cost implications for the victim-survivor and spark calls for further legislative reform.

I am advised the proposed amendment to allow appeals of permanently stayed child abuse claims to be made outside of any limitation period undermines the finality of litigation and has the potential to create a precedent for extending appeal periods more generally as case law develops. The proposed amendment could be considered to be very broad and would allow any permanent stay decision, made at any time, to remain open for appeal in perpetuity. Noting the complexity of the issues that arise in this area, and that there are two directly relevant cases currently being considered by the High Court, it is appropriate to await these decisions before the Parliament considers any reforms in this space.

The Hon. SUSAN CARTER (14:58): I contribute to debate on the Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024. There is no crime worse than the abuse of children. There is no duty more solemn for this Parliament or, indeed, for our courts, than to protect the vulnerable and to ensure that those who have been so badly exploited—often by the very people in whom they should have been able to most place their trust—are treated with respect, and that they receive justice. I commend the member for his work in bringing this important matter to the attention of the House, and for his deep compassion for those who have experienced the most grievous breach of trust. It is a compassion that I hope we all share.

The bill focuses on allegations of historic abuse and seeks to limit the ability for a defendant, especially an institutional defendant, to argue for a permanent stay because of the passage of time, the lack of availability of witnesses or other matters. In considering the bill, it is important to draw on the work of the groundbreaking Royal

Commission into Institutional Responses to Child Sexual Abuse. In his second reading speech the Hon. Jeremy Buckingham said:

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."

He is correct: This is uncontroversial. While the stain and the shame of child sexual abuse in our institutions and our society will forever be a mark on our history, let us hope that future generations can look back at that commission and take comfort in the fact that Australia acted, eventually, and responded. They will be able to point to that commission as the moment real change began, when we began to truly address this terrible chapter of our past. The royal commission spent four years investigating the issue of institutional child abuse. They listened to the personal accounts of 8,000 individuals and examined 134 institutional responses. They considered the evidence carefully, and the commission's final report made over 400 recommendations for change.

That report and those recommendations mark the single most detailed and informed examination of the subject of child sexual abuse ever conducted in this country and, indeed, much of the world. The royal commission looked at the very issue being addressed by this legislation: limitation periods and stays in civil proceedings. One of the key recommendations in the commission's report was recommendation 85, which said that State and Territory governments should introduce legislation to remove any limitation period on sexual abuse claims. The commission highlighted the difficulties faced by victims of abuse, and the lengthy period of time that a victim often needs before they are able to come forward and make their complaint against the abuser. These periods can indeed be lengthy, and periods of up to 30 years are sadly not uncommon.

The commission also indicated a belief that the very nature of the crime and the unique vulnerability of the victim means that it is difficult to prosecute the issue within the usual period covered by existing statutes of limitations. I am proud to say that all State and Territory governments responded positively to that recommendation, and note that the Coalition Government in this State amended the Limitation Act to remove limitation periods for child sex abuse claims, as recommended by the royal commission. Recommendation 87 from the commission addresses stays—the direct subject of this legislation. While limitation periods should be removed, it found that:

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

Just as we followed recommendation 85, we should also be guided by the considered work of the commission and follow recommendation 87. That would lead the Opposition to be unable to support the bill. The royal commission did not consider that the use of permanent stays was a perversion of the system of justice but rather a valid part of its administration that should be retained. The recent High Court decision in *GLJ v The Trustees of the Roman Catholic Church for the Diocese of Lismore* provided valuable guidance on the role of permanent stays in matters of historic child abuse. The majority decision clearly provides that permanent stays are a measure of last resort that will only be granted by the court in exceptional circumstances, and that is exactly the way they should stay.

It is instructive to reflect on the facts of this case: an allegation of child abuse said to have occurred in 1968, with the claim filed in 2019, over 50 years later. Due to the effluxion of time, the key witnesses, including the alleged abuser, were no longer available to provide evidence. They were all dead. The defendant sought a permanent stay on the grounds that, because witnesses were not available, any trial would not be a fair trial. But as the court at first instance noted—and as was echoed by the High Court—a fair trial does not need to be a perfect trial. No stay was granted in the circumstances. However, the High Court did indicate the importance of continuing access to stays as part of maintaining a fair trial process and the rule of law. As the majority noted at paragraph 23, the power to grant a permanent stay is not discretionary in nature and must protect and maintain the rule of law. It said:

If a trial will be necessarily unfair or so unfairly and unjustifiably oppressive as to constitute an abuse of process, a court must not permit the trial to be held. If a fair trial can be held and will not be so unfairly and unjustifiably oppressive as to constitute an abuse of process, a court ordinarily has a duty to hear and decide the case.

Following the recommendations of the royal commission, this Parliament removed the limitation on the period of time in which a claim of child sexual abuse could be brought. But following the recommendations of that same royal commission, the Parliament did not remove the ability of the court to grant a stay. The High Court has now declared as law for the whole of Australia that stays should continue to exist but should only be a measure of last resort—a measure of last resort if a fair trial would simply not be possible. The decision of the High Court in *GLJ* is reassuring, as it demonstrates that stays are not being granted lightly or easily and that our courts are not allowing them to be used as a means to prevent victims from receiving justice.

This is a very difficult issue, and how to address it is complex. The Opposition believes that we should be guided in this important task by the considered and detailed work of the royal commission. We recognise the pain of those who have suffered sexual abuse as children and, as we did when we implemented the recommendations of the royal commission in 2018, we follow the recommendations of this commission in upholding recommendation 87. As such, we cannot support this legislation, though we commend its spirit and intention to the House.

Ms SUE HIGGINSON (15:06): I contribute to debate on the Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024. The Royal Commission into Institutional Responses to Child Sexual Abuse shone a light on old, dark and far-reaching shadows. What was so horrifying about all that it exposed was that it was never far from view. How had we failed to hear these stories until now? It takes on average nearly 23 years for victim-survivors to report experiences of child sexual abuse. Three in five survivors who disclose their abuse do so in adulthood out of fear, shame and risk of disbelief. In every jurisdiction we lifted the statute of limitations on cases of child sexual abuse on the understanding that survivors must grapple with a uniquely wicked crime.

It is committed in secret and without witnesses. It takes advantage of a trusting and suggestible victim at an age when they cannot possibly understand how they have been betrayed. They are conditioned to disbelieve their own experience and distrust their loved ones. It is an attack on body and memory during formative years, designed to be doubted and difficult to prove to any standard, let alone beyond reasonable doubt. Yet even in the face of that extraordinary unlikeliness, survivors strive for justice. I commend the member who introduced the bill with all of my heart and soul. The bill will ensure that the law better recognises the struggle of victim-survivors. Permanent stays are a discretionary power to prevent injustice. In certain cases, it is true that unalterable and exceptional circumstances may preclude the possibility of a fair trial. In such cases it is appropriate to declare that the matter cannot be prosecuted. The bill will not prevent that, but such cases are rare.

It is shocking to read of the zeal with which large institutions, particularly the Catholic Church, have weaponised permanent stays in recent years to shirk their responsibilities to those who were wronged in their trust and care. Indeed, far from exceptional, Arnold Thomas and Becker, a firm pursuing claims on behalf of more than 700 abuse victims at the time the statute of limitations was lifted, said that defendants, particularly the church, were now frequently threatening to seek stays to thwart civil claims and lowball victims on the basis that perpetrators were incapacitated or had died, or that evidence had been lost. It is a deliberate legal strategy that some lawyers say big institutions are deploying or threatening to deploy in almost every case where those facts exist.

To seek legal redress from some of the most powerful institutions in the country—the Catholic Church, private schools and the Scouts—opens survivors up to the threat of a costs order as part of a permanent stay and carries the very real possibility of bankruptcy. It is an unconscionable injustice to first lose the innocence of childhood and then the roof over your head to an institution that could and should have protected you—all because it may not enjoy a perfect trial. Survivors, their advocates and the lawyers who represent them have universally condemned the use of permanent stays. Stays have been used in cases where perpetrators live on and have admitted to abuse. Stays have been used in cases where thousands of documents and living witnesses can attest to an institution's knowledge of abuse and its inaction. Stays have been used in cases concerning recidivist convicted paedophiles.

It is difficult to imagine that the imposition on an institution in defending such matters in court could meaningfully outweigh the injustice to a survivor whose story cannot be heard. Survivors facing permanent stays have reported feeling severe anxiety and feeling outmatched by the power and wealth of the institutions they are fighting against. They are re-traumatised and expect to be bitterly let down, and for what? It is far from impossible to prove wrongdoing and liability, even in matters where a great deal of time has passed between the abuse and legal proceedings. In *GLJ v The Trustees of the Roman Catholic Church for the Diocese of Lismore*, the ruling of the High Court of Australia made clear that the fading of memories, the loss of evidence and the death of relevant people were inevitable, routine and unexceptional. Crucially, the court still requires that plaintiffs make their cases to the relevant standard of proof.

Given the recent and widespread misuse of permanent stays to bully victim-survivors, it is appropriate to clarify in law the circumstances that are truly exceptional and warrant the use of permanent stays. Given the well-understood barriers to pursuing legal redress in cases of child sexual abuse and the well-understood way that we all age, remember and die, it is appropriate that we acknowledge in law that the risk of injustice to an alleged abuser or institution due to the passing of time should not be presumed to outweigh the risk of injustice to a victim-survivor prevented from bringing their allegations before a court. The greater injustice was identified by Sydney barrister James Masur, who explains that the legal effect of permanent stays since the lifting of the statute of limitations is "effectively to disqualify, as a class of witness, the evidence of certain survivors of historical sexual abuse in their claims for civil law redress".

Nothing in the bill directs a judge to a certain outcome or precludes a judge from forming the opinion that a permanent stay is necessary, given the totality of the case. Our judicial system is mature and resilient enough that an imperfect trial can nonetheless be a fair trial. The bill merely clarifies the exceptional. Again, I applaud the member for bringing the bill to the House. It cannot have been easy. I acknowledge in particular the strength of the survivors who have shared their stories since the royal commission's recommendations were handed down. I acknowledge that not every victim has survived. It is important that we remember the stakes.

When we lifted the statute of limitations on historic allegations of child sexual abuse, we sent a message to survivors that we will not allow the passage of time to be drawn like a veil to keep them from the justice they deserve. The bill makes that promise ironclad, with no undue intrusion on the courts' inherent jurisdiction. We must see these survivors. We must hear their stories. Anything less is injustice continued. I hear the Government's response. I am pleased that the Government and the Attorney General are working with the member and have provided words and, hopefully, some assurance that change is afoot. But I also observe that every day that justice is delayed is a day that justice is denied, and a long enough time has passed.

When we talk about justice and injustice in this place, it is infuriating that we speak about how difficult it is to interfere with laws and how difficult it is to navigate just laws. But that is what this place is meant to do. We are meant to be the justice lawmakers. We are meant to make and deliver laws that equal justice on the ground to all the people who are literally on their knees with their broken hearts begging for justice. Their lives are sole-purpose driven now, looking to grab hold of some measure of justice. This place should not stand in the way of justice when a member sees a pathway and puts it on paper. We can read it with our own eyes and we can speak it with our own lips. For them to be told, "No, you cannot yet have it" is terribly frustrating. I commend the member. I support the bill on behalf of The Greens.

The Hon. STEPHEN LAWRENCE (15:16): I speak against the Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024. In my inaugural speech I said that I would defend the fair trial in this place, including from those who come with saintly intentions and high-minded arguments. The member who introduced this bill is definitely such a person. His intentions in introducing this bill are saintly. He wants to allow justice and restitution for people who have been gravely wronged against. His arguments are high minded. I listened closely to his second reading speech, and I have discussed the matter with him. But the bill does seem to ultimately conflict with the fair trial in such a fundamental way that it is, in my humble view, almost certainly unconstitutional. I note that this is also the advice provided by the Crown Solicitor's Office in light of recent legal developments in the High Court. Its advice is that there remains the real risk of constitutional invalidity. To pass the bill in those circumstances would not be responsible for the reasons that the Treasurer has already advanced.

The bill proposes to essentially codify the power of a court to stay a claim for damages for child abuse and to limit the power to stay such a matter. Courts have long held that they have the power to unilaterally terminate civil actions or criminal prosecutions that inflict unfairness or tend to undermine the legitimacy of the judicial branch of government. Such cases are considered to be an abuse of process and can be terminated, either permanently or conditionally, by way of a stay of proceedings being ordered on the summons, statement of claim, charge, indictment or other forms of process.

The concept of abuse of process as an actionable wrong and a basis for a stay has been developed by the courts of the common-law world over an extended period. The fundamental purpose of the doctrine is to prevent the judicial system from being used in a way that is inconsistent with its fundamental values, purposes and principles. In the criminal law, abuse of process can be understood as a concept describing circumstances attending a prosecution such that the prosecution should be pre-emptively terminated by the court with jurisdiction, either permanently or conditional upon certain action by the prosecution. In the civil law, abuse of process is both a tort and a phrase that is descriptive of the circumstances when an action should end.

The common premise to each of these expressions of the doctrine is the circumstance of judicial process being misused by a party, either to inflict unfairness upon a party or to make it unfair in a broader societal sense for the action to proceed. Here misuse means conduct that is inconsistent with recognised rights, values and principles protected by the legal system. It has been said that preventing such misuse is necessary to prevent unfairness but also to defend the very existence of the courts because their existence depends on the maintenance of public confidence, which is eroded by such misuse.

It is sometimes said that the power is discretionary, and that is so in the sense that a court must weigh up a range of matters. But it is not truly a discretion in the sense that, if abuse of process exists, a matter must be stayed. There is no discretion. Having appeared in quite a few stay applications, I can certainly say that a very wide range of circumstances, individually or viewed in combination, might be asserted to justify a stay. It is true that the power is exceptional, as the bill reflects, but that only means that courts have formed the view over time that only rarely are processes abused. But when they are a matter must be stayed irrespective of how rare it is or not at a

particular time. The bill proposes to carve out certain circumstances so that they cannot be used to justify a permanent stay. New section 6A (5A) provides:

A court must consider the following in determining to stay proceedings in relation to a claim for damages for child abuse—

- (a) that a stay of proceedings is a remedy of last resort to protect the administration of justice through the operation of the adversarial system,
- (b) that a stay of proceedings is only to be granted in an exceptional case,
- (c) that one or more of the following circumstances are not exceptional circumstances to justify an order to stay proceedings on a claim against an institutional defendant—
 - (i) the passing of time,
 - (ii) the loss of evidence or the poor state of evidence, including from the passing of time, death, illness, legal incapacity, the loss or destruction of documents and the absence of witnesses,
 - (iii) the death, illness, legal incapacity of, or inability to identify, the perpetrator of the child abuse,
 - (iv) the inability for the institutional defendant to question the perpetrator about the child abuse pleaded in the claim, ...

The effect of this is clear. Some parties to civil proceedings will be subject to trials that, but for the bill, would have been stayed as unfair. We would, in passing the bill, be seeking to substitute our view as to fairness for the view that might otherwise be taken by a court. Without going too far into the interesting complexities of Australian constitutional law, it is certainly clear from a constitutional law perspective that we do not have the power to interfere in the institutional integrity of a court that exercises Federal jurisdiction; that is, to deprive a court of an essential characteristic of a court and impair the institutional integrity of the court to act fairly and impartially and, of course, our New South Wales courts do so exercise.

The bill might do exactly that because it would seek to remove consideration of circumstances that may, on a stay application, be decisive—that is, may be considered to mean that any trial would be unfair; that is, it could deprive the court of having regard to a number of relevant circumstances that might otherwise warrant a stay. It is hard to see merit in the suggestion that the stay power would still properly exist if the bill was passed. A party that would otherwise get a stay on the basis of unfairness may not. There is also an equality before the law issue here. This law will impact certain respondents in certain civil matters, who will be subject to a special regime under which they can be subjected to unfair trials that others cannot. That offends the principle of equality before the law. We must respect that principle even if we personally may have little sympathy for the class of party that may commonly be caught by the bill.

There is also a finality of legal settlement issue here. The bill proposes to set aside all settlement agreements relating to child abuse where the agreement is not just and reasonable in the circumstances, rather than agreements just affected by the threat of a permanent stay. Again, this subjects a certain class of respondents to an especially onerous regime. This undermines the overall finality of settlement agreements and equality before the law. I do not see anything in the decision of the High Court in GLJ that particularly supports the merits of the bill. Under the GLJ approach, cases must still be decided on their merits. Under the bill, they would not be. I note that the correctness of GLJ is also a live issue and current cases are seeking to challenge it. There were two strong dissents and a full court of only five judges heard the case. The core issue of how removal of the previous statute of limitations impacts the power to stay a prosecution, when Parliament expressly preserved that power, will, I am sure, be again a live issue. For those reasons, I cannot support the bill.

The Hon. WES FANG (15:23): I contribute to debate on the Limitation and Civil Liability Amendment (Permanent Stays) Bill 2024. I commend the Hon. Jeremy Buckingham for introducing the bill and for his steadfast views on the issues of child sexual abuse and stays. I am sympathetic to what he is trying to achieve. I heard loud and clear the concerns of members that there are constitutional legal issues surrounding the bill. However, in circumstances where there are fundamental concerns about the way in which stays have been used to stifle and protect institutions and to enforce settlements that are less than ideal, the bill seeks to gain redress for those people that have suffered abuse not only from a person but also from an institution. In those circumstances, I cannot in good conscience vote against the bill. If there is a vote, I will abstain. I will not vote against what the member is trying to achieve through the bill.

Debate adjourned.

Documents

SCHOOL BUDGET ALLOCATIONS

Production of Documents: Order

The Hon. SARAH MITCHELL (15:27): I seek leave to amend private members' business item No. 1036 by:

- (1) Omitting "21 days" and inserting instead "28 days".
- (2) Inserting "(not including individual public schools)" after "the Department of Education".

Leave granted.

The Hon. SARAH MITCHELL: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 26 March 2023 in the possession, custody or control of the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney or the Department of Education (not including individual public schools) relating to school budget allocations:

- (a) all documents relating to 2024 school budget allocations;
- (b) all documents regarding the freezing or reallocation of funds in the State Consolidated Fund (Fund 6100) for all schools;
- (c) all documents regarding the freezing or reallocation of funds in the State Consolidated Accumulated Balance (Fund 6101) for all schools; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I indicate my gratitude for members of the Government and the crossbench for talking through some of the specifics of this Standing Order 52 request and coming to an agreement that the amendment would not be opposed and therefore that the motion would pass. This is an opportunity for us as a House to get some more detailed information about decisions that have been made by the Government on school budget allocations. We know there have been changes throughout this year. We are mid-way through the year. Principals have been told that the funding that was intended to be made available to them is now facing cuts. The Minister and the secretary of the department have said that it is a 1.25 per cent cut and media reports have indicated that it is cumulatively around \$150 million.

I seek these papers because that public messaging does not align with what I am hearing from school communities. Many of my colleagues, particularly in the other place, are hearing that too. We are being overrun with examples from school communities about concerns of hundreds of thousands of dollars coming out of school bank accounts, of money being frozen that was given to schools on the proviso that they could spend it in certain time frames, of capital projects being stalled and of temporary staff position contracts being cut and programs not being continued. I have had some concerning calls from parents who have children attending schools for specific purposes, that we were publicly told would be exempt from these decisions. Those parents are now finding out that those schools are several hundred thousand dollars out in their budget as well.

This is a serious issue. As I said, I appreciate that we seem to have landed on a position where this call for papers will not be opposed, because this is about transparency and accountability in government. I note that some questions were asked about this in the other place yesterday by the member for Balmain. The education Minister made a comment that this was fake news. I do not think that is right. This is quite a concerning issue on the ground. A lot of school communities are reaching out to me and my colleagues, concerned about what this means. This is about transparency. It is about receiving documents so that we know what exactly has happened with schools, how much money has come out and how that is applied to individual schools.

The motion as amended is not about going into individual public schools. We do not want principals and teachers to be spending time searching their records. We want the Department of Education to provide us with information that has gone to schools about this. We also want to know what the Deputy Premier, and Minister for Education and Early Learning, was told about this. There was mention in last year's budget papers, talking about a redirection of discretionary funding. We asked questions about that at budget estimates, but we were told that schools would not be impacted. We now know that that is not the case. This has been building for a period of time. As I said, this is about seeking that information. It is about transparency, and it is about accountability. Having worked with members across the Chamber, I appreciate that we have landed on a position where we will be able to get the motion through and get some of the answers that we need.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (15:31): At the outset, I am delighted that we were able to reach an agreement about the amendment to the motion. As a result, I indicate that the Government will not oppose the motion. We are funding schools at record levels, and I think it is important that the motion was amended to give the department a bit more time but also to make sure that those individual schools are focused on providing all of our kids with the best opportunities each and every day, instead of looking around to produce these documents. I take this opportunity to put a few things on the record. Under Labor, public schools have record funding. That is an absolute fact. At the election, we committed to reaching 75 per cent of the Schooling Resource Standard [SRS] by 2025—two years earlier than the previous Government—and we are absolutely committed to delivering on that.

The Deputy Premier, and Minister for Education and Early Learning, is deep into negotiations for the next national agreement on funding for schools. I wish her all the very best in those negotiations. There is no doubt that we have a fundamentally different approach. We do not support the way that the previous Government gave funding to schools under Local Schools, Local Decisions. We do not think that was the right approach. We have a different approach because we saw that it led to chronic teacher vacancies. It led to 10,000 merged and cancelled classes every day. We saw the rise of temporary teaching and school administrative positions in schools. So we have changed the way that the funding will be allocated. We have taken our teachers from being the worst paid in the country to being the best paid in the country. As part of those changes, the Deputy Premier, and Minister for Education and Early Learning, is redirecting that funding.

I emphasise that our schools as a whole have record funding under this Government. We are absolutely committed to delivering the best possible outcomes for each and every kid who goes to school, each and every day. The way that we do that is by investing in our teachers, not by putting more of an administrative burden on schools and not by getting more teachers out of the classrooms, which is what we saw under the previous Government. We saw a growth in those executive teaching roles, taking valuable teachers out of the classroom instead of putting them back where they need to be. We are absolutely committed to funding our public schools. We are proud of our record. The Deputy Premier, and Minister for Education and Early Learning, is doing an excellent job each and every day. We have a different approach. I think that is part of what has prompted this call for papers, which we certainly do not oppose.

Ms ABIGAIL BOYD (15:34): The Greens will support this call for papers. I thank the Hon. Sarah Mitchell for bringing the motion to the attention of the House. As has been mentioned, some of my lower House colleagues have been approached by people within their communities who are concerned about the impacts of these decisions on their schools. I hear what the Minister has just said about the education policy of Labor, compared with what we had under the Coalition. I do not agree that this call for papers is in any way about that sort of policy change. I think that in this House—or in this Parliament—we are now roughly on the same page about wanting to have this money centralised and about that money not having been spent in the way that some people had perhaps hoped that it would have been spent. That accumulation is not something that any of us would want to continue.

However, we have some real questions about the implication of what now looks to be a freezing of those funds for some of the very basic supports in our schools. I have spoken many times about my concerns around the lack of supports for children with disability in our schools, and I am hearing some concerning reports about the funding for some of those supports no longer being available. I do not know whether or not that is because of the implementation of this policy decision. We would like to get to the bottom of that. We are pleased to see the amendment to the motion, and we have enjoyed working across the table on the terms of this Standing Order 52 motion between the Government and the Opposition. The Greens support the motion.

The Hon. SARAH MITCHELL (15:36): In reply: I thank the Minister for Finance and Ms Abigail Boyd for their contributions. As I said, the motion is about accountability and transparency. We want to know what exactly is happening in terms of schools and their funding—where the cuts are, what the impacts are and what school communities are feeling. We look forward to receiving the papers in 28 days.

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

Motion agreed to.

Bills

ANTI-DISCRIMINATION AMENDMENT (HETEROSEXUAL DISCRIMINATION) BILL 2024

Second Reading Debate

Debate resumed from 20 March 2024.

The Hon. SUSAN CARTER (15:38): It is important that I begin my contribution to debate on the Anti-Discrimination Amendment (Heterosexual Discrimination) Bill 2024 by declaring a personal interest. I am straight, which makes me part of the 96 per cent of the population identified by the Hon. Mark Banasiak, who introduced the bill, as a potential beneficiary. If I look hard enough, I can certainly identify experiences of discrimination or even vilification because of my heterosexuality. I have certainly been called a breeder more than once, and no-one presented me with a rainbow or any other type of lanyard identifying my sexuality when I entered this place—but that is perhaps because I am often to be seen wearing my distinctive Liberal Party lanyard; you can always go somewhere with pearls.

I admit the temptation to make light of the bill, but it does raise a serious issue. Any discrimination experienced by any member of our society because of their sexuality or for any other reason is serious. We live,

I hope, in a society where every person is judged by the content of their character rather than by their differences or their specific characteristics. That is not to discount those characteristics. My Irish heritage, my heterosexuality, my faith and my experiences have all formed me in the same way that the characteristics of others have formed them. However, if we always focus on those differences or characteristics and see only them rather than the whole person, we begin to create a society where our fault lines are more important than our unity.

Though imperfect, the history of Australia reflects a journey towards a society that is welcoming to everyone and in which everyone is respected and free from fear and discrimination. We must continue that journey. The bill asks us to reflect on a very serious question indeed. Is discrimination legislation intended as a bridge to educate and to lead us away from discrimination? Or is it intended as a destination, where every type of difference will eventually be catalogued and we will be on permanent watch for any sign of discrimination based on one of those prescribed differences? This bill definitely falls into the latter category, seeking as it does to add further categories of discrimination to our already burgeoning anti-discrimination legislation.

Insofar as the bill represents an impulse to reflect and to update our laws to ensure that they continue to serve the good and build a strong society, I commend it. At first glance it might seem that the exclusion of heterosexuality in the list of characteristics against which we will not tolerate discrimination is a glaring omission. However, the fundamental issue with the bill is it will inevitably lead to more focus on discrimination. In that, it is self-defeating. It continues and sharpens the focus on our differences. It carves out, or perhaps merely highlights, new lines of division. We need to reach across those lines, not define them more clearly. A focus on our differences is not good for social cohesion. The bill is based on only one aspect of our character, our sexuality, rather than who we are in totality, which is far more complex and important.

The members of this place represent some of the diversity of our State—in gender, cultural background, sexuality and many other aspects. Yet we are divided not by those aspects of our personality but by our beliefs and approaches to solving the problems of our society. We are united by our shared concern and our love for this State, as well as our belief in working towards its betterment. I say this as a lawyer: Law is not the panacea for everything. I do not think that the solution to the concerns of the honourable member is to be found by adding more lines of division to the Anti-Discrimination Act. That is doubly true given the ongoing review into the Act and its operations. There is a natural impulse in our hearts to see something different in another and to react with fear and hate. I paraphrased Martin Luther King Jr earlier. As a man who was no stranger to the evils of discrimination, he had perhaps the best solution to the concerns that have been raised. He said:

Returning hate for hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.

Let us not obscure the stars with over-legislating. We do not support the bill.

Dr AMANDA COHN (15:43): The Greens oppose the Anti-Discrimination Amendment (Heterosexual Discrimination) Bill 2024. It is clear that the Hon. Mark Banasiak has not even read the Act that he is seeking to amend. In his second reading speech he said, "While the Act rightly protects individuals from discrimination based on attributes such as disability, race, Aboriginality, sexual orientation and transgender status"—but it does not. The Anti-Discrimination Act does not provide broad protection based on sexual orientation, but I am delighted to learn that the member thinks it rightly should.

The Anti-Discrimination Act only provides protection based on sexual orientation for homosexual people. Members of the LGBTQIA+ community and our allies have been advocating for many years for that to be expanded to reflect the broad diversity of sexual orientation in our communities, including bisexual people like me, who are currently provided with no protection by the Anti-Discrimination Act. In introducing the bill to the House, the member has not provided one real example of discrimination against people based on their heterosexuality in New South Wales. He cited the experience and confected sense of victimhood of his mate in the Chamber, who was dissatisfied with his experience of the Parliament's Independent Complaints Officer, as well as an American book.

I will list some real Australian examples of discrimination against people who are not currently protected by the Act and would not be by this bill. The first is "Matthew", who worked at an Anglican school in Sydney in 2022. During a year 11 religious symposium, students were told that anything outside of heteronormative sex was "inhuman". Matthew was especially troubled by a Q&A session with year 11 students who were presented with the statement, "Sex is always between a man and a woman". Those who agreed were asked to remain seated and those who did not were told to stand. The two students who stood were mocked and jeered by the rest of the room. Matthew raised his concerns about those harmful messages to the school board, the chaplain and other staff. In March 2023 he was asked to deliver a symposium on gender using his theological training. During his presentation he told the students that God created us all in his image and that there are different expressions of

gender in the Bible. Matthew was called into the principal's office two days later and fired without warning during an 11-minute meeting, going home to his three-year-old daughter and heavily pregnant wife.

In 2015 Harley fled intimate partner and family violence, seeking accommodation at a refuge provided by a faith-based organisation. During their time at the refuge, they were counselled against disclosing their sexuality or wearing rainbow items of clothing. They were told they were going to hell by a staff member who said they would pray for God to show them the way. Harley left the refuge and spent three nights sleeping on the streets instead. In 2021 Harley and their wife sought emergency accommodation from a different faith-based organisation. This time Harley's wife, who is a trans woman, was told that she would need to go to a men's shelter rather than stay at the same facility as Harley.

Trans and gender diverse people are so frequently discriminated against in healthcare services that they often do not access health care, even in emergencies, and are missing out on key preventive health measures like cancer screening. A 2006 inquiry by the Australian Human Rights Commission heard that transgender and intersex people are particularly vulnerable to discrimination in aged-care settings to the point where they may avoid seeking assistance altogether. There is anecdotal evidence of denial of services, forcibly preventing cross-dressing and deliberate physical violence when people are revealed to be transgender.

What the member failed to acknowledge in his contributions about discrimination against heterosexual people is that they are too often subjected to hatred and violence when they stand in solidarity with queer communities. One of the recommendations in the special commission of inquiry into gay hate crimes called on the New South Wales police to instigate a fresh inquest into the death of Scott Miller. Scott Miller was a straight man who attended the Sydney Gay and Lesbian Mardi Gras parade on Oxford Street the night before his body was found in Darling Harbour in March 1997. Justice John Sackar acknowledged that it will never truly be known what happened on the night of his death, concluding that New South Wales police should acknowledge the shortcomings of their investigations to Scott Miller's family.

I move to the detail of the bill. If I have read the bill correctly, it seems that one of its consequences—and it is not at all clear if the member intended this—will be for bisexual and asexual people to go back into the closet. Division 1 of schedule 1 to the bill provides protection if a person is "thought to be a heterosexual person, whether the person is in fact a heterosexual person or not." I am a bisexual woman in a long-term relationship with a man. Under the proposed legislation, if people took that to mean that I am straight, I would be protected but, if someone knew my sexual orientation, it would be completely fine to discriminate against me. I am still not protected from discrimination based on my sexual orientation—not by this bill and not by the Anti-Discrimination Act as it stands.

It is a disgrace that the Government is not making a simple amendment to the Act to broadly protect people from being discriminated based on sexual orientation while the lengthy and necessary law reform commission review of the Act is underway. That is what the equality bill before the Legislative Assembly proposes and what the current Leader of the Government tabled a petition calling for in 2014. I invite the Hon. Mark Banasiak to support the equality bill. It has been subject to extensive consultation and scrutiny, and proposes protection under the Anti-Discrimination Act for everyone based on their sexual orientation, which includes heterosexual people. That is what the people we represent really need, not further divisive stunts like the bill we are debating today.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:48): I speak in debate on the Anti-Discrimination Amendment (Heterosexual Discrimination) Bill 2024. A core tenet of the Minns Labor Government is ensuring that all people across New South Wales can live a life free of discrimination. Central to this is ensuring that New South Wales anti-discrimination legislation is fit for purpose and provides the protections the community expects, deserves and can rely upon. The Anti-Discrimination Act 1977 is a proud Labor achievement of the former Wran Government. It was groundbreaking legislation that set the stage for similar reforms nationally and in other jurisdictions.

A lot has changed since 1977. The way in which we have implemented anti-discrimination laws over time is to bolt on a whole lot of issues to the Act as they have come through. In the lead-up to the election, and upon coming to power, this Government stated it was time for a full review of the anti-discrimination protections in New South Wales to make sure they were fit for purpose. In June 2023 the Attorney General referred the Anti-Discrimination Act 1977 to the NSW Law Reform Commission for comprehensive review, fulfilling that election commitment. The terms of reference of the review require the Law Reform Commission to consider a range of issues relating to the Anti-Discrimination Act, including:

1. whether the Act could be modernised and simplified to better promote the equal enjoyment of rights and reflect contemporary community standards
2. whether the range of attributes protected against discrimination requires reform
- ...

5. the adequacy of protections against vilification ...

The Law Reform Commission has received 95 preliminary submissions to the review. The commission is currently reviewing these submissions and expects to release a consultation paper in coming months. The Law Reform Commission can consider the issues raised in the private member's bill as part of that review, and the Government supports that approach. The New South Wales Government is not aware of any evidence that discrimination on the grounds of heterosexuality is an issue of such prevalence that the amendments contained in this bill should proceed in advance of the Law Reform Commission's consideration of the Anti-Discrimination Act.

The Government does not support this private member's bill. However, there are some issues in the bill that we think are worthy of talking about. The amendments contained in the private member's bill raise a number of specific policy issues that require further consideration. The Law Reform Commission is best placed to do this. Those issues include whether there is appropriate rationale for adding heterosexuality as standalone grounds for discrimination; the need, if any, for any exceptions to the prohibition of discrimination on the grounds of heterosexuality; and the merit of approaches taken by other Australian jurisdictions in this area. For example, many other jurisdictions just use sexuality as the grounds for discrimination, which would be far more inclusive.

Not speaking on behalf of the Government, I believe that would be a good way forward to make sure we do not leave anyone out. I do not think any member in this Chamber is arguing that individuals should be discriminated against. What members are trying to argue is whether we have picked up the right people, whether we have the balance right and whether we need to have special protections for those who are discriminated against in a range of different ways. I think that is what we are trying to achieve here. To be clear, the Government will not be supporting the private member's bill. However, if he has not made a submission to the Law Reform Commission, he should do so; I am sure the commission would take it. We believe these issues should be dealt with. Again, I say that where we might be heading on this—although I would not want to presume what the Law Reform Commission will do—is that sexuality is far more of a catch-all.

A whole range of other areas are being examined in relation to anti-discrimination law, such as the degree to which there are exemptions or not and the degree to which things like transgender status are properly done. It was groundbreaking when transgender status was put into the anti-discrimination law. However, if any members have read the Act—which, for reasons I still do not understand, I have—it contains very old language and is very clunky. A whole lot of stuff has been bolted on. I know that members in this Chamber have had a range of different areas they have wished to insert into the Act. We believe we will get to the bottom of it.

The year 1977 was a long time ago. It is time for us to have a modern anti-discrimination Act that is clear in its purpose; namely, that every person in New South Wales is valued and should be treated fairly. Those who are subject to discrimination for a range of different reasons should have a means to have that addressed and dealt with in a way they can rely upon; a way that says to everyone in this State, "You all matter."

Debate adjourned.

Documents

ASSISTED REPRODUCTIVE TECHNOLOGY

Return to Order

The CLERK: According to the resolution of the House of Wednesday 15 May 2024, I table:

- (a) a return received on Wednesday 5 June 2024 from the Cabinet Office, together with an indexed list of documents; and
- (b) a return received on Wednesday 5 June 2024 from the Cabinet Office, of documents subject to a claim of privilege.

TOMAREE LODGE

Return to Order

The CLERK: According to the resolution of the House of Wednesday 15 May 2024, I table a return received on Wednesday 5 June 2024 from the Cabinet Office, together with an indexed list of documents.

Motions

MANUFACTURING INDUSTRY

The Hon. Dr SARAH KAINE (15:54): I move:

- (1) That this House notes that New South Wales currently spends approximately \$42 billion on construction, goods and services.
- (2) That this House further notes that:

- (a) in 1985 the manufacturing industry was the State's largest employer and in 2022, it was ranked ninth largest;
- (b) the United States and major European economies reversed trends of declining manufacturing jobs in 2014, yet New South Wales and Australia have continued to worsen;
- (c) local content laws have been introduced in Victoria, Queensland and Western Australia;
- (d) New South Wales should give every opportunity for local businesses, and investors to benefit from our precious procurement dollars; and
- (e) the Government is committed to prioritising local content, local manufacturing, local jobs and providing opportunities for quality training.

The substance of this motion is the importance of domestic manufacturing in New South Wales. I emphasise that the New South Wales Government understands how vital it is to support and procure from local manufacturers. Of course, this will create jobs and enable small to medium-sized businesses to scale up and build sustainable domestic supply chains. For every manufacturing job created, 3½ more jobs are created in the supply chain. What members probably do not know is that one out of every 16 people in the New South Wales workforce is in manufacturing. We are Australia's biggest manufacturing State, with around 30,000 manufacturers employing almost 300,000 workers and generating over \$140 billion in annual turnover. We have particular strengths in the defence, aerospace, health, life sciences and agrifood industries. Those manufacturers export over \$18 billion in products every year.

Manufacturing contributes over \$42 billion to the New South Wales economy, which constitutes about 5.8 per cent of gross State product and over 30 per cent of national manufacturing output. However, for the past 20 years manufacturing in New South Wales has declined by 0.6 per cent per year. In 2021-22 Australia ranked last among all OECD countries for manufacturing self-sufficiency. But we as a government are committed to doing something about this situation. We are not going to abrogate our economic responsibility to let some global market mechanism see us specialise in an area of hypothetical competitive advantage that may do nothing to enhance our sovereign capabilities. During the COVID pandemic we saw that the neglect of local manufacturing by the State and the country over a number of years has left us vulnerable to such events.

While it is a new policy of this Government, there are national and international precedents for pursuing support for local manufacturing. One that I have been doing a bit of reading on is South Korea, an economy that has had quite an amazing trajectory of growth since the 1980s. The World Bank describes it as having an annual average of 5.7 per cent growth in GDP, which is enviable by anyone's standard. I wondered what were some of the components of South Korea's growth. I also thought about some of the objections to government support for local manufacturing. Often when this topic is raised, one of the objections is that such preferential treatment and support will make us fall foul of World Trade Organisation rules and free trade agreements. In researching it I found this article, helpfully called *Trade Agreements and the Myth of Policy Constraint in Australia*. It contains a discussion comparing Australia's recent industry policy—and that is what members are talking about here—with the activity of a country with very similar international obligations. The article states:

Like Australia, Korea is a member of the WTO. Korea has also signed a swag of PTAs—
preferential trade agreements—

over the past decade, many with partners common to Australia—

We have signed an agreement with Korea, which continues to this day. The article goes on:

These deals have left Korea and Australia with a similar set of obligations and constraints. However, over the past decade, the Korean government has been capitalising heavily on the room it nonetheless enjoys, aggressively expanding its use of WTO- and PTA-compliant industry policies.

The idea that we will somehow breach our international trade obligations by default if we engage in encouraging domestic manufacturing in New South Wales or Australia is clearly not true. The economic results of Korea suggest that we should probably consider looking at that and being a bit more creative in how we approach this. I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (15:59): It has been 14 months since the Government was elected with a commitment to "increase tender weightings to 30 per cent to capture local content, job creation, small business and ethical supply chains". Changes in mandatory tender weightings can be made by directions from the Procurement Board. The Minister for Domestic Manufacturing and Government Procurement can instruct the board to make a direction at any time she wants, but she has elected not to do it. Why do we have this motion celebrating a Government election commitment that so far has not been acted upon by the responsible Minister?

The Hon. Dr Sarah Kaine gave notice of this motion on 19 March 2024, two weeks after submissions closed for the inquiry into procurement practices by the Social Issues Committee, which she chairs, and five days after the committee had extended its reporting date, with the agreement of the Minister for Domestic

Manufacturing and Government Procurement, from July 2024 to 11 October 2024. This is 12 months after the reference was accepted by the committee. The terms of reference given to the committee by the Minister include inquiring into and reporting on the evaluation criteria used in tenders and how they are weighted in making a decision to award a contract, in particular consideration of local content.

With the committee not due to report until October, we may not see any action on this election commitment until 2025—two years after the election. In answers to supplementary questions, NSW Treasury has confirmed "from a Government procurement policy perspective, 'local' includes Australian and New Zealand based businesses". Merely talking about local content does not create a single new job in New South Wales. A report in one of the newspapers this morning is about the Tangara trains.

The Hon. Jeremy Buckingham: Have you ever caught one?

The Hon. DAMIEN TUDEHOPE: It is disorderly to interject. But in answer to the question, I have—and probably more times than you, buddy. There is an opportunity to give a commitment that the Tangara trains will be manufactured in New South Wales. They are not going to be manufactured in New South Wales, and the Minister knows that. The Minister knows that the New South Wales Government has just gone and bought a whole lot of buses from China. [*Time expired.*]

Ms ABIGAIL BOYD (16:03): The Greens support the motion. We welcome the renewed focus on domestic manufacturing capacity in New South Wales. The decline of the New South Wales manufacturing industry has been driven by a relentless offshoring of quality jobs, enabled by government policies that have failed to adequately support domestic manufacturing. These failures have seen the Australian and New South Wales economies become increasingly reliant on mining and services industries. A cynic may reasonably wonder whether this consolidation of blue-collar jobs within mining industries was in fact by design, and not simply a quirk of successive governments' failures of imagination and inability to conceive of our country and State as anything more than just a quarry.

As a result of the decline of manufacturing jobs in this State, we have missed out on important and exciting growth industries that could have set our jobs environment up for success. As it stands, we fail to meaningfully participate in important value-adding industries. This is not just a missed opportunity; it is also terribly environmentally damaging in a way that fails to be adequately accounted for. The amount of wasted emissions involved in the international shipping of our raw resources to other jurisdictions where they undergo value-added manufacturing only to be shipped back to New South Wales again cannot be overstated. This is not just about economic growth. It is about building a resilient State, creating good jobs and ensuring that our communities thrive.

One of the most powerful tools we have to support domestic manufacturing is public procurement. How we spend taxpayer dollars sends a strong message about what we value as a society. By prioritising locally made products and services we can drive demand, create jobs and boost our economy. We do not have to reinvent the wheel. The Australian Capital Territory and Queensland have implemented innovative procurement rules that prioritise local suppliers and social benefits. These policies have proven successful in generating economic activity and in creating positive social outcomes.

Let's consider adopting similar measures in New South Wales. We can establish clear guidelines that encourage government agencies to buy local. We can create incentives for manufacturers to invest in sustainable practices and create high-quality jobs. We can also prioritise projects that benefit disadvantaged communities and promote environmental sustainability. Imagine the impact of our procurement dollars creating jobs in regional areas, supporting Indigenous businesses and reducing our carbon footprint. Imagine schools, hospitals and infrastructure projects built with locally made materials that support our communities and strengthen our economy. We do not need to just imagine it; we can create it with a government that is willing to take leadership on this issue. We look forward to the Labor Government doing that, and we support the motion.

The Hon. JACQUI MUNRO (16:05): I was very interested to see this motion. It is quite a bold one from the Hon. Dr Sarah Kaine because the Government's record on manufacturing and advanced and modern manufacturing in particular has been extremely poor. I would be delighted if the Ministers would actually listen to the Hon. Dr Sarah Kaine's speech and start working on the initiatives that she is so keen on. I specifically note the member's contribution regarding trade. It would be wonderful if the trade Minister decided to be much more proactive in his role in gaining relationships around the world and in ensuring that we have partners who want to buy the things that we will hopefully create. But the trade department has been abolished. There is much less clarity for international partners on how they can make their way into New South Wales and have a sustainable, effective and prosperous relationship with our State. I ask the member to please take her messages back to her own Ministers with enthusiasm.

I note my comments last year about advanced manufacturing and modern manufacturing. This Government axed the State's Modern Manufacturing Commissioner right at the time when the Federal Labor Government was recommending that it institute a Federal modern manufacturing commissioner. That came out of a specific recommendation from a report released by the Commonwealth Standing Committee on Industry, Science and Resources in November 2023, just months after the Labor Government in New South Wales said that it was going to axe our Modern Manufacturing Commissioner. It was the first in the country and recognised around Australia. It was groundbreaking and useful. I urge this Government to not only reinstate the Modern Manufacturing Commissioner but also commit to stage two of the Advanced Manufacturing Research Facility in the Western Parkland City Authority area to ensure that the work of the Coalition on stage one of the Advanced Manufacturing Research Facility does not go to waste.

Advanced manufacturing will be a critical part of the future of our economy. I note a report by the Chief Scientist and Engineer, Professor Hugh Durrant-Whyte, on the global semiconductor value chain. We now have the Semiconductor Service Sector Bureau, known as S3B, which was set up by the Coalition. Professor Hugh Durrant-Whyte notes:

Both Taiwan and Singapore are illustrative of economies that over the last 35 years have pursued deliberate, consistent, long range and successful, governmental policy, targeted assistance and capability-building to significantly advance their participation in the global semiconductor value chain.

That is what we could be doing in New South Wales if the Government expanded its definition to include advanced manufacturing.

The Hon. JEREMY BUCKINGHAM (16:08): On behalf of the Legalise Cannabis Party, I support the Hon. Dr Sarah Kaine's motion. I commend the member for her ongoing commitment to local procurement and a healthy and revitalised manufacturing sector in New South Wales. As I am going to do ad infinitum and ad nauseum, I am going to put before the House the opportunities that will come inevitably from a medicinal cannabis industry in terms of advanced manufacturing in this State. For the edification of members—probably those in the Opposition, who do not understand the industry—the medicinal cannabis industry is one of the most high-tech horticultural industries in the world producing pharmaceutical-grade medicines according to good manufacturing practice [GMP]. They are massive employers.

Recently I visited a facility in Tasmania, Tasmania Botanics, which provides 150 jobs in the most socio-economically depressed part of northern Hobart, the Bridgewater region. That is revitalising that entire region. Tasmania Botanics is the largest employer there. I believe the Government getting behind manufacturing and a medicinal cannabis industry focused on the Upper Hunter and the Central West of this State would be a win-win for those communities, producing high-quality medicines, according to GMP, that we can use in our domestic market and also export. New South Wales has some really innovative companies, including ANTG, which is expanding in Armidale; Green Farmers; and Biortica Agrimed, which is expanding in Lismore. Those companies are employing people in the regions. That is a massive opportunity.

In America, 500,000 people are employed in the cannabis industry, compounding growth in that sector of about 30 per cent. It will be a trillion-dollar industry in a generation and as big as the entire global alcohol industry probably within a decade. New South Wales should grasp the nettle, grasp the cannabis and become the centre of excellence for the production of medicinal cannabis in Australia. The other States are asleep at the wheel. We have the expertise in this State. We have a massive horticulture sector in the Upper Hunter in terms of viticulture that would readily accept medicinal cannabis. We have a fantastic horticulture sector on the Mid North Coast with our massive and vibrant blueberry and soft fruit industry. That is a massive opportunity.

The Hon. Chris Rath: I love blueberries.

The Hon. JEREMY BUCKINGHAM: I love blueberries, especially after a bit of medicinal cannabis, with a little bit of vanilla ice cream, all made in New South Wales, creating jobs. I commend the motion and the intent of the motion to the House, and I commend the member too.

The Hon. CHRIS RATH (16:11): I reluctantly contribute to the motion in support. I say reluctantly because there is always a stench of protectionism and big government populism with these types of domestic manufacturing motions that sits uneasy with me. But I also reluctantly contribute because it is so comedic that the Government has failed in its promises to pursue local manufacturing. Chris Minns proclaimed in June 2023 that:

The NSW Government is committed to building things here again to create jobs, boost manufacturing and end the failed offshore imports of the previous Liberal Government.

I think we all remember those social media tiles from before the election and after the election with arrows pointing to ferries, buses and trains, saying, "We will build these things here." But that could not be further from the truth a year into this Labor Government. Let us have a look at what has transpired since last June. Firstly, there was the

Parramatta River ferry debacle. In regard to replacing the seven Cairns-built RiverCat vessels, Chris Minns stated in June 2023:

I'm looking forward to the day I can announce a brand new NSW-built ferry. It won't be easy, and it will take time, but we are determined to do it.

Unfortunately, though, the Premier will have to keep looking forward to that announcement as he decided to sign a multimillion-dollar contract with a Tasmanian shipbuilder to build the fleet. I understand that the education cuts are pretty tough at the moment but I would have thought that even the Premier would know that Tasmania is not in New South Wales. In fact, Tasmania has not been part of New South Wales since the early 1800s. What are we to think then when the Government lays down a proposal for the Tangara train upgrades, which I noticed in *The Sydney Morning Herald* today? The 2024-25 budget will invest \$447 million to extend the life of the current trains, but only a measly \$17.5 million is being set aside to fund the Future Fleet Program to build new trains in New South Wales. When building new trains without a domestic manufacturing capability that can be easily switched on overnight, \$17.5 million does not go very far. That is a pittance. Just last Wednesday, the Premier stated:

NSW workers are great at building trains and under this government we will build trains here again. It's going to take time, but we're determined to do it.

That sounds very familiar. The language used when the Government was talking about ferries is now being used to talk about trains. The Opposition will wait for the detail.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (16:15): I enthusiastically endorse the motion. I also endorse the work of the member in moving the motion today and in her fantastic contribution that showed her passion. The Hon. Dr Sarah Kaine is doing excellent work as Chair of the Social Issues Committee with the important inquiry into procurement, which I asked her to undertake. The Opposition's contribution by contrast has shown them flipping and flopping. We had to wriggle it out of the Leader of the Opposition. He did not want to say he was going to support the motion. The member has drafted the motion very carefully and very cleverly, and so we managed to finally get it out of the Leader of the Opposition that they will support the motion. At least the previous member who spoke had the honesty to come and say, "I'm reluctantly supporting it." His obsession with Premier Chris Minns' social media tiles is certainly helping with their reach. If only the rest of the community in New South Wales had such an understanding as the member does.

This is a really important motion because this is really important work. This Government cannot fix in 12 months the previous Government's 12 years of deliberate policy decisions and complete neglect of our local manufacturing industry, when they sent billions of dollars and thousands of jobs offshore under the Leader of the Opposition's time as finance Minister. We cannot fix that in 12 months, but we can start that work. I am delighted we are talking about the issue today because just today I was with the Premier, the transport Minister and the Treasurer at Mortdale Maintenance, the home of the Tangara, New South Wales-built trains. We built trains in New South Wales for over a century until those opposite won and made the deliberate decision to send billions of dollars and thousands of jobs overseas. What did we get? We lost the jobs; we lost the local multiplier effects and we got inferior products. We got trains that do not even fit on our tracks.

The Hon. Rose Jackson: Decapitating ferries.

The Hon. COURTNEY HOUSSOS: And decapitating ferries. They came riddled with asbestos. Despite their track record, those opposite have the gall to criticise the fact that in 12 months we have been able to start to rebuild the train manufacturing industry. That is what we announced today: some \$457 million towards rebuilding our train manufacturing and starting the work to be able to build trains in New South Wales. Again, when an industry that employs tens of thousands of workers is deliberately dismantled, that takes time, but we are committed to doing it and we have started doing it already.

The Hon. MARK BUTTIGIEG (16:18): I felt compelled to contribute to debate on the motion of the Hon. Dr Sarah Kaine because it is important to recognise how easy it is for governments to fall for intellectual fallacies. Members will remember the fashionable trend about 20 or 30 years ago in the economic rationalists' view of the world that a comparative advantage in one area should be concentrated on, and ineffective and uncompetitive industries should not be propped up. That is the basis of where all this started. These things have to be put in context. The theory was that if each country concentrates on what it is good at, produces that and then trades with the rest of the world, output and employment go up. Unfortunately, it did not quite work out that way because there was no such thing as a level playing field in the first place. Tariffs were not uniform. There was no open and even competition. If you want to favour your own country and State, then you should do things which are in the interest of your own country and State. That is exactly what this domestic manufacturing procurement policy is.

Again, I thank the member for bringing the motion and the Minister for encouraging it. If members want emblematic examples of why this failed, the analogy would be privatisation. It is the same sort of thing. Exhibit A: the ferries that were riddled with asbestos and could not fit under bridges were made overseas; the trains made in South Korea would not fit tracks and tunnels; and the cracked trams in the inner west. New South Wales was effectively saying, "You have a cheaper sticker price. We will have that, because we think it is cheaper and we can't do better." But that did not take into account the 30, 40 or 50 per cent budget overruns, which cost the State billions and billions of dollars and, to boot, the loss of jobs that could have been generated from the multiplier effect. It is a false economy.

For the record, I do not say that Labor has been totally innocent on this because there was a time in the '80s when some on this side of politics were falling for it too—not to the extent of those opposite, but they were falling for it. It is good to see a Premier, a Minister and members like the Hon. Dr Sarah Kaine pushing this. It takes a Labor Government to bring it back into practice. The Government is doing it. It is a reality. There is investment in it. As members have said, it will take a long time to undo. The point is the conversation has changed because of this Government. It is back on a trajectory to where it should be, looking after New South Wales jobs and Australian jobs first, and not overseas jobs.

The Hon. CAMERON MURPHY (16:21): I thank the Hon. Dr Sarah Kaine for moving this important motion. Domestic manufacturing is something that is absolutely essential to the State. It is not just the enormous number of jobs that it creates here and the multiplier effect of those people spending money in the New South Wales economy; it is also because, when we did domestic manufacturing here, we got it right. For 100-plus years we built trains, ferries and all the infrastructure we needed in this State in a way that worked. I find it shocking that we had to virtually wring out of the Leader of the Opposition whether those opposite support this. Why is that the case? Why are they so reluctant to tell people that they support domestic manufacturing? It is because in their time in government we saw them kill local manufacturing by sending those contracts overseas.

Everyone knows what that legacy is like. There are trains from South Korea that do not fit the tracks and cannot go through tunnels, infrastructure that we are still trying to unpick to get operational in this State. The ferries were riddled with asbestos and had unsafe windows that could not be seen through by ferry operators at night-time. Decapitation was mentioned earlier by the Minister; people are being advised to go to the lower deck of the ferry when it goes under a bridge for safety reasons. That is exactly what one can expect to find when somebody on the other side of the world who knows nothing about local conditions attempts to manufacture something. It just does not work.

I know those opposite are motivated by these wonderful economic theories that they believe in—trickle-down economics and going for the cheapest possible cost—but this should be a lesson to everybody. It is absolutely not in the best interests of the people of this State to be wasting billions of dollars sending money overseas to foreign companies that build things that do not work. The best one can say about some of the manufacturing that they engaged in is that billions and billions of additional dollars will have to be spent on those off-the-rack purchases—which those opposite promised would save money—to ensure that they can actually be used on our infrastructure. I commend the motion to the House.

The Hon. Dr SARAH KAINE (16:24): In reply: I thank all members for their contributions: the Hon. Damien Tudehope, Ms Abigail Boyd, the Hon. Jacqui Munro, the Hon. Jeremy Buckingham, the Hon. Chris Rath, Minister Houssos, the Hon. Mark Buttigieg and the Hon. Cameron Murphy. But there are some contributions that I enjoyed more than others. I reluctantly have to say that I enjoyed the contribution from the Hon. Chris Rath. I do not agree with him on many things but, as always, it was entertaining. The Hon. Damien Tudehope had me very worried that he was going to talk about the inquiry—I have read the standing orders and I know we are not meant to—but he made sure he stayed clear of that. I thank the Hon. Damien Tudehope, the Hon. Jeremy Buckingham and all members on the procurement inquiry. I acknowledge that we are finding some interesting things through that inquiry.

I want to get to the contribution from the Hon. Jacqui Munro. She does like to mention quite regularly the fact that there is no longer an advanced manufacturing commissioner. What we have is a full-time Minister who is now responsible for this area of Government policy. I imagine the member will probably keep mentioning it—it has been quite a theme—but maybe we could move on to the fact that we have a full-time Minister who has responsibility and is engaged in this area. The Hon. Jacqui Munro pleaded with me to talk to my colleagues about certain policy issues. I will ask her to do the same with her own colleagues, because the discussion that we have and the examples that we were given are that in New South Wales it is as if we have to manufacture every bolt and widget that goes on every train, otherwise somehow we are not being true to our commitment to support domestic manufacturing, and that is just nonsense. What we need to do is look at where we can invest in advanced manufacturing so that we get the best outcomes for the community.

I have been indulging myself with some reading and research on this topic. What has come out quite clearly through the literature—I know this is another area of passion for the Hon. Jacqui Munro and I am sorry she is not here—is that one of the key drivers of innovation is government procurement money, because what government procurement does is stabilise the market, which allows those organisations who are trying to innovate the space the opportunity to get on and do that job, develop new products and take us into the advanced manufacturing space. I implore the member to speak to her colleagues.

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

Motion agreed to.

SHORT-TERM RENTAL ACCOMMODATION

The Hon. TAYLOR MARTIN (16:28): I move:

- (1) That this House notes that:
 - (a) in February 2024 the Government released the *Discussion paper on short- and long-term rental accommodation*;
 - (b) the discussion paper proposed a variety of potential levies on short-term rental accommodation including:
 - (i) a levy on the revenues from bookings of short-term rental accommodation;
 - (ii) day fees per guest staying in short-term rental accommodation; and
 - (iii) an annual levy based on the use of the property.
 - (c) short-term rental accommodation represents less than 2 per cent of New South Wales' total housing stock;
 - (d) any type of nightly cap risks unintended consequences such as creating a black market of unregulated and uninsured short-term rental properties; and
 - (e) the Australian and New Zealand Short-term Rental Association has proposed that instead of a nightly cap on short-term rentals that a 2 per cent levy be implemented on all accommodation types.
- (2) That this House calls on the Government to:
 - (a) rule out nightly caps across the State;
 - (b) rule out a Victorian-style 7.5 per cent tax that singles out short-term rental accommodation; and
 - (c) work with mum and dad property owners and property management companies to provide certainty to the sector.

Tourism is one of Australia's largest exports. Last year the New South Wales visitor economy surpassed \$50 billion in expenditure for the first time in history. Statistics published by Tourism Research Australia show that New South Wales welcomed the most international visitors, nights spent and visitor expenditure nationally during the period, which contributed \$11 billion to the visitor economy. Domestic visitors to New South Wales also increased 9.3 per cent, driving the State's highest ever domestic expenditure from the sector at \$40.5 billion. Also, regional New South Wales led regional Australia in domestic day trip visitor levels.

Holiday rentals are a major contributor to the tourism sector in our State. A 2016 Legislative Assembly inquiry found that short-term rental accommodation was generally seen as a low-impact activity that does not alter the otherwise residential character of a dwelling or neighbourhood but makes a significant contribution to the tourism economy. Short-term rental accommodation fills a gap in the market. Not everybody has friends or family with whom they can stay when they visit New South Wales, particularly regional areas of New South Wales, and not everybody wants to stay in a hotel or can afford to stay in a hotel—nor is a hotel or its facilities suitable for every visitor.

In many areas, if locals do not like the idea of short-term rentals, they will surely be even more opposed to new hotels or motels being built in their communities. I have heard from business owners, operators and cleaners who fear that restrictions on holiday rentals could severely damage their business. I have also heard from short-term rental owners—usually regional retirees who are supplementing their age pension—who have their own individual story about the potential harm to them and their livelihood that restrictive nightly caps and unnecessarily large levies may cause.

The recent discussion paper of the Department of Planning, Housing and Infrastructure on short- and long-term rental accommodation found that there are 52,300 dwellings registered for short-term rental. Of those, just 33,000 are non-hosted, meaning the owner does not live there. We have a housing crisis in this State. It has been well documented and well debated. The simplistic view that transferring those 33,000 from short-term to long-term rentals would have an impact on affordability is quite far fetched—and that it would even happen is quite fanciful. They would more than likely not have a propensity to be converted. Under the National Housing Accord the New South Wales Government has committed to build 375,000 homes over the next five years and

will need 900,000 more by 2041. The impact of short-term housing is a single digit percentage of both of those targets.

The recent discussion paper suggested several regulatory and revenue measures that could increase the use of properties for long-term housing—at the disadvantage, however, of short-term accommodation. Regulatory measures proposed in the discussion paper include higher registration fees, more onerous approval requirements, more restrictive caps on the maximum number of nights that a dwelling may be let for non-hosted short-term rental accommodation, limits to the number of homes in an area that can be used for that purpose and limits on the number of guests. Revenue measures that may incentivise the increased use of properties for long-term over short-term housing include a levy on revenue from bookings, day fees per guest or an annual levy based on the use of the property.

Fundamentally, this motion asks the new Labor Government to rule out a couple of proposals, the first being nightly caps. Short-term rental owners and operators are absolutely terrified that the Government or local councils could, at their whim, impose caps, as happened in the Byron Bay shire and other areas. Caps, by their very nature, force owners to leave properties vacant for part of the year, which is an incredibly inefficient way to solve the problem. The second is the Victorian-style 7½ per cent tax. We know that the New South Wales Government is open to the suggestion, and the Hon. Rose Jackson said last year in the *Financial Review* that "the levy was an attractive option". Mum-and-dad investors are rightly extremely concerned at this possibility. Finally, what the sector is really crying out for at the moment is some certainty. We cannot have the Government or Ministers making policy on the run. The Government must listen and talk to the sector, particularly to justify any impact that its actions may have. I urge members to support the motion.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (16:33): I thank the Hon. Taylor Martin for moving the motion and indicate that I will be moving an amendment to it. I move:

That the question be amended by omitting paragraph (2) and inserting instead:

- (2) That this House calls on the New South Wales Government to work with property owners, property management companies, councils and local communities to determine the best policy response.

I am moving the amendment because much of what the member has said is true and important to consider. The first part of the motion goes to many of the facts that are important to put on record in this debate. But we are still in the phase of doing exactly what he has asked us to do, which is not to make policy on the run, not to get into this rule-in/rule-out game in motions on private members' business day, but to collaborate with those who are directly impacted by any potential solutions to figure out what the best balance is. I give the member a commitment that the Government is going to do that. There will not be policy on the run. Decisions that impact people will be made only if they have been the subject of consultation and collaboration.

I hope that the member can see the commitment that I have to that through the release of the discussion paper. We on this side did not come out and say, "This is what we want to do. How do you guys feel about that?" That is not the form of consultation that we have undertaken. We have genuinely launched a discussion paper and we are genuinely working through how we might do the balancing that he has rightfully called on us to do. We know that short-term rentals play a positive role in our tourism industry and we want that to continue. It is an incredibly important industry in New South Wales. There will absolutely be a role for short-term rentals in the New South Wales tourism sector going forward. But, just as he referred to stories he has heard from some owners about how concerned they are about changes, I have also heard stories from people across regional New South Wales, particularly in some very localised communities, about just how hard it is for them to find long-term rentals.

There is no question in my mind that in certain local communities, in regional New South Wales particularly, the impact of short-term rentals on the local housing market has made it more difficult for people to find a long-term rental for them and their family when they could ordinarily do so. That has made the whole task of confronting the housing crisis more difficult. There are important elements to this debate to balance on both sides to ensure that we are making the most efficient use of our housing stock without detrimentally impacting our tourism market and in fact fostering its growth in New South Wales. We will consider the options in a thoughtful and collaborative way as we make decisions about how we are going to approach this challenge.

The Hon. SCOTT FARLOW (16:36): I thank the Hon. Taylor Martin for raising this important issue of short-term rental accommodation, which has been the subject of significant discussion in recent months. As the Minister outlined, the Government has released its discussion paper on short-term and long-term rental accommodation and is in the middle of conducting a review, which the Minister for Housing stated would return within the first half of the year. The Coalition commends the Government on that step and on making it a

discussion process. We on this side will await the findings of this review to respond in a more fulsome manner to the policy concerns raised by stakeholders during the engagement process.

We must not impose restrictions that would destroy short-term rental businesses in our State, which are often run to supplement the income of families and seniors. I note that short-term rentals represent less than 2 per cent of total housing stock in New South Wales, and not all short-term rentals are always being put up for short-term lease. They provide an important service in the housing market. Short-term rentals have significant benefits, particularly for regional communities across the State, from tourism benefits for regional towns to providing housing to workers on key infrastructure projects or seasonal workers. It is important that we maintain those benefits and do not undermine their viability.

More broadly, in Greater Sydney, under the Minns Labor Government, median rents are up by 14 per cent for houses and 13 per cent for units. There must be action for renters. The Minns Labor Government has so far been missing in action. After more than a year in power, the Minns Government has failed to deliver on its commitments to improve the lives of renters. It made a great fanfare before the election but has since failed to act. Renters across New South Wales are deeply frustrated by the lack of action from the Labor Government on rental reform. The previous Coalition Government made notable reforms regarding the short-term rental market by implementing a statewide regulatory framework for short-term rental accommodation with a planning framework and mandatory code of conduct to support home owners wanting to pursue holiday rentals whilst ensuring communities have more certainty.

Changes have been made, and are soon to come into force, by creating statewide planning rules for short-term rental accommodation to create a cap of up to 180 days on some short-term holiday rentals in an effort to generate more long-term rental supply. The effectiveness of these rules needs to be carefully analysed to see whether the objective of injecting more long-term rental supply into the market has been successful. Affordable accommodation in the rental market is vital for a vibrant tourism industry. When accommodation is often the most expensive part of booking a holiday for tourists from interstate and internationally, competition is essential.

We must not undercut tourism operators in our regions. To address the housing crisis we must build more supply in the private market. Labor's new taxes, including the Housing and Productivity Contribution and the advent of Sydney Water's development servicing plans, are rendering new housing projects economically unviable. Many industry stakeholders have said that that is a significant concern. Any changes to short-term rentals must respect the decisions of property owners, the needs of local communities for more rental accommodation and the sustainability of the tourism economy throughout New South Wales. The Opposition will support the motion as amended by the Minister for Housing.

The Hon. ROD ROBERTS (16:39): I congratulate the Hon. Taylor Martin on moving this motion, which I support, along with the short-term rental industry. I am a big consumer of short-term rentals. I have used them on a number of occasions whilst travelling around the State with my wife and son in support of his sporting endeavours over the years. I listened to the Minister for Housing and I am encouraged by her honesty and her approach. I will not wave a big stick, but I will say that 2 per cent of the housing market is occupied by short-term rentals. If the Minister honestly thinks that that will make any difference to the housing crisis that we have at the moment, she is completely mistaken.

Let us look at some of the homes. A five- or six-bedroom home with a plunge pool at Wategos Beach in Byron Bay may cost \$3,000 a night on the short-term rental market. How many families will rent that for the long term? It does not work like that. No family is going to rent a small studio apartment for the long term if it is jammed in somebody's backyard and does not have a laundry. Those properties are unique. Clearly there is demand for those properties; otherwise they would all be vacant. The owners could put them on the long-term rental market, but they are not doing that. Those properties are occupied by tourists, locals, families and, in particular, workers.

I live in Goulburn, which is the wind farm capital of Australia. Homes in the short-term rental market are taken up by workers. Workers who travel around cannot constantly live in a motel. I can tell members from personal experience that one can eat bacon and eggs at a cafe for breakfast only so many times in a row. Give me my own kitchen in my own place so that I can have cereal and toast like normal and I will be happy. That must be remembered. I implore the Minister to work with the industry. She has said that she has, and I take her on her word because I find her to be a very honourable Minister. The industry wants to work with the Minister as well. They are not putting up a brick wall or saying, "Go away."

There will be some give and take on both sides, but let us not kill the goose that laid the golden egg. We do not have manufacturing in Australia, as we heard from the Hon. Dr Sarah Kaine earlier. I wish I could have contributed to that debate because I fully support her comments. We have a service-based industry in New South

Wales that resolves around tourism. We saw what happened during COVID when we had no tourists: Our economy went belly up. Let us not ruin this industry. I congratulate the member on his motion.

The Hon. DAMIEN TUDEHOPE (16:42): I contribute to debate on the motion. I express my surprise at the amendment that was moved by the Minister for Housing. The amendment omits paragraph (2) of the motion, which includes at paragraph (2) (b) a call for the Government to rule out a Victorian-style 7.5 per cent tax that singles out short-term rental accommodation. I am not surprised that the Government has sought to excise that provision from the motion. The Treasurer is not here to rule out that tax because, prior to the election, when asked if he would raise taxes or introduce new taxes, he made a solemn pledge to the people of New South Wales that he would not. He gave the simple and unequivocal answer, "No."

Why is the Treasurer not here? I call on the Treasurer to come here now and rule that out because he made that commitment to the people of New South Wales. The motion seeks to rule out that tax. We can only draw one conclusion from the amendment the Government seeks to make to this motion: The Treasurer is going to impose that tax on short-term rentals. This Treasurer and this Government are committed to betraying the people who elected them.

The Hon. Cameron Murphy: Come on!

The Hon. DAMIEN TUDEHOPE: The Hon. Cameron Murphy is having a laugh. The Expenditure Review Committee and Treasurer have been working every Saturday. The committee comes along and they ask, "What new taxes can we gouge out of the people of this State?" They look to our friends in Victoria, the bankrupt State of Australia, and ask, "How can we make ourselves like them? Let's introduce taxes like they have introduced. We are going to introduce a tax on the short-term rental industry so that we can destroy it." That move will exemplify the nature of broken promises made by this Government. Whether it is heartless cuts to palliative care, ripping money out of mental health support or failing to put in place domestic violence support workers, this Treasurer and this Government cannot help but break the hearts of the people of New South Wales.

The Hon. CAMERON MURPHY (16:45): I thank the Hon. Taylor Martin for moving the motion. He highlighted some really important issues, as well as the community concerns of those in the short-term rental accommodation [STRA] market, and rightly so. I support the amendment moved by the Minister for Housing. Despite the lengthy contribution from the Leader of the Opposition, we must not read the amendment in the way he has outlined. The Government is talking about what is appropriate when a review is underway. That review must include a proper consultation process where people explore all of the various measures that could be introduced to assist with what is a massive housing crisis.

I note that under the STRA planning and regulatory framework, the review will try to identify possible ways to incentivise the use of existing housing stock for long-term residences across all forms of housing, including short-term rental accommodation, vacant property and holiday homes, using a mixture of potential regulatory and revenue options. This is not just about using the stick approach—as it has been described by some—of taxing people and saying, "You have to think about offering this as long-term accommodation or we will tax you Victorian style. The bogeyman is there." The bogeyman is the Leader of the Opposition in this place. It is not about that; it is about looking sensibly, through community consultation with the industry and with people who utilise this market, in order to try to find the best ways to ease the housing crisis.

Through that consultation, regulatory changes or other incentives might be proposed for the Government to adopt. For some people who want to move out of the short-term rental market and into long-term accommodation, there may be barriers prohibiting them from doing that. The motion should not close off the ability to have that discussion. That is all it is. It is community consultation; it is a discussion. It is working with all of the people in the industry to see if something positive can be identified. I thank the member for moving the motion. This matter is really important. I thank the Minister for Housing moving her amendment because no process should rule things in or out. We should be talking to the people who count.

The Hon. CHRIS RATH (16:49): Thank God for the short-term rental market that we have in New South Wales and Australia, and also for the platforms like Airbnb and Stayz that have made it possible. Previously, people could book a hotel and rent long term but, until the technology was developed that disrupted the accommodation market, there was a gap. The short-term rental market has exploded with interest of late but, as the Hon. Rob Roberts said, that is only because there is demand for it. If nobody was using those properties, they would put them onto the market for long-term lease. There is clearly a demand for it.

We need to stop demonising mum-and-dad investors. As so many members have said, less than 2 per cent of the housing stock in New South Wales is used for short-term rental accommodation, so the housing crisis that we have in New South Wales is not their fault. In fact, mum-and-dad investors plug an important gap in the market that is currently being used incredibly well by the people of New South Wales. Of course we have a problem when

it comes to housing supply, but we cannot bulldoze our way through this issue with inadequate and rash decisions that ultimately impact mum-and-dad investors. That is what they did in Victoria; I do not think they got the balance right with their rash decision of a 7.5 per cent levy on short-term accommodation.

The fact is that only about one-fifth of Australians have an investment property, so we should not be demonising them and their ambition. They are people who work hard and save up to buy an investment property. They might use it on occasion as their holiday home but, when they are not using it, they rent it out in regional communities. Having a thriving short-term rental accommodation market adds to those regional economies; it does not detract from them. The point by the shadow Treasurer is absolutely correct: Before the last election, the Treasurer said in all the major media outlets across the State that there would be no new taxes under the Minns Labor Government. Why is the Premier not here today committing to no new taxes in the short-term accommodation rental market? He has had the opportunity to do that at estimates. He has had the opportunity in question time when we have asked questions about this. Every single time, he has walked away from his commitment at the last State election of no new taxes.

Ms CATE FAEHRMANN (16:52): The Greens oppose the motion as moved by the Hon. Taylor Martin. Having said that, we recognise that the Government has moved an amendment and we are more comfortable with the motion as amended. Listening to the Opposition, you would think that the discussion paper the Government released on short- and long-term rentals is about forever taking away every single property other than the property that people live in, which is quite extraordinary. It does nothing of the sort. In fact, The Greens made a submission to that discussion paper largely supporting what was in it.

During the election campaign, The Greens announced an initiative to regulate short-term holiday letting because of feedback we received from the regions, largely from The Greens member for Ballina, Tamara Smith. Her electorate is really doing it tough when it comes to housing affordability and availability. In fact, up to 25 per cent of housing stock in Byron Bay is short-term rental accommodation. Businesses in Byron Bay cannot get essential workers. The same situation is happening in the Shoalhaven; I speak to communities on the South Coast about the fact that there are just no workers there. Not every second house but every two in three houses are holiday houses.

The Greens support the regulation of short-term holiday letting. If The Greens were introducing a bill or putting forward a motion on it, we would perhaps clamp down on investor properties a bit more. But the discussion paper looks at what is essentially an unregulated business. People have snapped up many properties and set up businesses to rent them out to visitors as short-term accommodation. What we are not talking about in the motion or the discussion paper is somebody with a second house who rents it out to a person in the regions. Of course, in some ways, that helps people who need to live in a certain regional community but who are unable to buy a house and want to rent. But that is not what short-term holiday letting is about. Members are getting the two very confused. Having said that, The Greens will reluctantly support the amended motion.

The Hon. JOHN RUDDICK (16:55): The Libertarian Party will support this motion, and I commend the Hon. Taylor Martin for moving it. Libertarians support private property rights, voluntary exchange and innovation. The short-term rental market is a great example of all of the above. Attacks on property owners using their homes as they see fit violate all of the above. They are driven by a legitimate concern around housing supply but ignore how few homes are used for this purpose, and the benefits they give. Short-term accommodation is an Uber-style competitor to hotels and motels. The demand for it speaks for itself. Attacking free-market innovation only results in stagnation. A better way to address housing shortages is to relax or abolish planning laws and red tape preventing new developments. That plan that is sadly relentlessly attacked by the Liberals and The Greens. I call on the Government to commit to avoiding the draconian limits and taxes imposed in Victoria on this great disruptive industry.

The Hon. TAYLOR MARTIN (16:56): In reply: I thank the Hon. Rose Jackson for her contribution, especially for her commitment going forward to work collaboratively with the industry, investors and mums and dads that I spoke about. I thank the shadow Minister, the Hon. Scott Farlow, for his engagement on this issue for quite a while now. It would seem he is one of the busiest people in the Opposition. I thank the Hon. Rod Roberts for both his contribution tonight and his advocacy on this issue. I particularly thank him for the examples that he gave from his own and his family's experience.

Around 40 per cent of short-term stays are in sectors other than tourism: health, construction and agriculture, just to name a few. It really facilitates people getting around our State and nation as things are built. It helps people to be looked after and it benefits a whole range of other areas in our economy. I thank the Leader of the Opposition. As a former finance Minister, he would have quite an insight into this issue and the possibility of the imposition of new taxes. I thank the Hon. Cameron Murphy, who referred to the Victorian approach as the bogeyman. But it is actually not the bogeyman; it is literally what a State Labor Government has done in Australia's number two State, so people do have reason to be concerned about a 7.5 per cent tax.

I note that an amendment has been moved. While I might be disappointed, I do not believe that we will divide on it. I thank the Opposition Whip, who is our own reincarnation of Milton Friedman here in the Chamber. I could not agree more. I thank Ms Cate Faehrmann representing The Greens. I note the high percentage of short-term stays in popular tourist areas. Blow me down with a feather. Mr President, as you well know living in Byron Bay, areas with high percentages of tourism may well have high percentages of short-term stays. If there is a housing affordability problem, those local nimby councils need to allow for more density and affordable housing to be built in their precious backyards. I thank the Hon. John Ruddick for his short contribution. Of course, I did not have to advocate for his support on this motion. I know that anything to do with lower taxes will be supported by the Libertarian Party. I thank all members.

The PRESIDENT: The Hon. Taylor Martin has moved a motion, to which the Hon. Rose Jackson has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

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

Motion as amended agreed to.

Documents

ERARING POWER STATION CLOSURE

Production of Documents: Further Order

The Hon. JACQUI MUNRO (17:00): I seek leave to amend private members' business item No. 1071 for today of which I have given notice by:

- (1) Omitting "the resolution of the House of Wednesday 15 May 2024 relating to an order for papers regarding the closure and extension of Eraring Power Station be amended by inserting after paragraph (2) (a)" and inserting instead:

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 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:
- (2) In paragraph (d) omitting "energy price floors and price caps" and inserting instead "energy prices".
- (3) Inserting after paragraph (e):
 - (f) all documents relating to requests made to and advice received from the Australian Energy Market Operator [AEMO] to tender for Interim Reliability Reserves;
- (4) In paragraph (f) inserting "seeking" before "market interest".

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 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 the impacts of Eraring Power Station's closure on electricity reliability;
- (b) all documents relating to advice sought and received relating to managing energy prices from the Australian Energy Regulator [AER];
- (c) all documents relating to advice provided on options to manage energy prices;
- (d) all documents relating to the Australian Energy Market Operator [AEMO] update to the *2023 Electricity Statement of Opportunities*,
- (e) all documents relating to requests made to and advice received from the Australian Energy Market Operator [AEMO] to tender for Interim Reliability Reserves; and
- (f) all documents relating to seeking market interest to supply the New South Wales energy market from 1 July 2024 to 30 June 2030.

As I have said before, there are a range of reasons that members of this place support this call for papers under Standing Order 52. We need further information to make a good judgment about the Government's decision to not only extend the coal-fired power station but also promise to spend just under half a billion dollars of taxpayers' money if Origin needs it—and possibly more than that, depending on a range of circumstances agreed upon by

Origin and the Government. The Department of Climate Change, Energy, the Environment and Water briefing document, *Summary of agreement between the State and Origin on its plans for Eraring power station*, states:

Origin has the right to pass through changes in its Eraring costs that come about due to certain changes in law, to the extent the change increases or decreases Origin's costs by more than \$10 million ... increases to the cap are limited to \$100 million in aggregate in each opt-in year, and must apply only to costs associated with the change in law.

That is possibly an additional \$100 million per year but we have no elucidation or clarification about what those changes might be. There is a possibility that those changes mean there is a disincentive for the Government to pursue generation of cheap and clean power in New South Wales. The motion aims to clarify a range of important questions. It is about transparency and accountability, about spending taxpayers' money responsibly and about holding the Government to account for the promises it has made to deliver cheap, reliable energy and to get to net zero by 2050. I acknowledge that the Minister has now committed to making the Origin Energy deal public by the August sitting. However, at this point it is unclear on what the basis the Government has decided to extend Eraring at all.

With statements from the department like "this shortfall"—that is the one represented by Eraring's planned closure in 2025-26—we know that the basis is not a concern regarding the ability for New South Wales to meet demand. A combination of increased generation from existing New South Wales plants and imports from neighbouring regions will be able to make up for the shortfall. Other options are available to provide New South Wales with reliable energy. So far, we have seen no documents that advise the Government to extend Eraring. We have seen no documents that even suggest the Government should consider paying Origin Energy to extend Eraring. We have seen no documents that demonstrate the Government has sought advice about how to best provide New South Wales with reliable, cost-effective energy without the expenditure of taxpayers' money on the extension on a coal-fired power station.

The Australian Energy Market Operator's update to the *2023 Electricity Statement of Opportunities* notes that a tender process to access Interim Reliability Reserves is a way that the Government could generate enough energy for New South Wales. Did the Government seek advice on that tender process? We do not know. This amendment to the original call for papers under Standing Order 52 sets out parameters to gather critical information that will hold the Government to account for its decision to pay Origin Energy to keep the Eraring coal-fired power station open. The order primarily relates to advice about price but also drills down on what information the Government sought and received in relation to options to provide New South Wales with reliable, affordable and sustainable energy.

The Hon. DANIEL MOOKHEY (Treasurer) (17:04): As the leading practitioner of Standing Order 52 motions who largely invented and developed the jurisprudence as to how the House should go about using its powers under Standing Order 52—and with a record that remains unrivalled and with a library named after me—I am obliged to oppose this motion out of sheer disrespect for the lack of craft that has been applied by the mover of this particular motion. I have great respect for the Hon. Jacqui Munro. It is fascinating that the argument she makes is that they are using this power in the cause of transparency. I have tabled more of the former Government's Eraring documents than she did. Equally, I point out that we, as the Government, did not try to hide any of it; we tabled it ourselves. I find it to be a unique proposition that I add to my own library by bringing in the actual Eraring agreements that members of the previous Government signed when they were in office to put before the House 10 years after they signed them. And now we are hearing lectures here about transparency.

In addition, my good friend leading the Government—the other rival that I have for Standing Order 52 motions—did not want to wait for a call for papers. She tabled the documents. I would encourage the Hon. Jacqui Munro to read the documents before she asks for more documents, because that is what I did, that is how you tend to develop stories and that is how you hold governments to account. Instead, we have a bold proposition to amend a Standing Order 52 before the Government even has a chance to comply with it. I tried things on when I was on the Opposition side of the House. I well and truly did. I am guilty as charged for stretching what is possible in terms of Standing Order 52. But not even I tried to amend Standing Order 52 motions before the Government complied with them. I, at least, had the respect to wait for the Government to return documents before I complained about its lack of return. What is fascinating about this particular case is that the Government has returned documents. I know this because I have read them.

The Hon. Jacqui Munro: As have I.

The Hon. DANIEL MOOKHEY: At least the Hon. Jacqui Munro has read them. That says a lot more for the Opposition than anything else because I am willing to bet that the shadow energy Minister has not. I am not sure who that is. I think it is Matt Kean; he could be moonlighting. But it could be that James Griffin fellow too. I am not sure. Nevertheless, the Government does not support the motion because we are complying with the original one. We are providing more transparency, voluntarily, and thus the House does not need to test its powers

in this regard. I encourage members who want to use the powers of the House to do what I did: Have regard to how you do it so you do not defeat it for people who come after you.

The Hon. MARK LATHAM (17:07): We are always fascinated when the poacher becomes the gamekeeper, under the complete delusion that somehow the library naming is permanent.

The Hon. Daniel Mookhey: I have added more documents to that library than you guys have.

The Hon. MARK LATHAM: Maybe so. But the Treasurer thinks that, like a presidential library, the naming is forever. My recollection is that the great Mason-Cox christened it, basically on the basis of rhyming slang: the Mookhey have a looky library. The Hon. Daniel Mookhey only got there on Dr Seuss-ism. These arrogant, self-serving Ministers are rewriting history. They are the Ronald Biggs of politics: no history on this side of the House but they were born to rule on that side. The arrogance is striking. I recall that it was not just Mookhey. If Graham had rhymed with library, he would have got it too.

The Hon. Courtney Houssos: No.

The Hon. MARK LATHAM: Yes, he would. I am independent and objective. The truth is that the "Give it a go, Munro" library has a ring to it. That could be the replacement name. The Hon. Daniel Mookhey has the arrogance of sitting on the Treasury bench and needs to understand that nothing is permanent in politics. So settle down and let us have an objective look at this Standing Order 52 request.

I rather suspect that the Opposition has sussed out some extra documents that are needed. Matt Kean—whether he is the de facto shadow Minister these days or whatever he is doing—seems to have a recollection of these documents from his time in government. The "Have a go, Munro" library advocate is well briefed on what needs to be brought forward. There was all this transparency talk from Labor members—Ronald Biggs had a history on one side but no history on the other. They do not believe in transparency now. What is the harm in looking at the documents called for by the Hon. Jacqui Munro? The decision has been made by the Government and I support that decision. The Government looks like it has struck a reasonable deal in the interests of taxpayers. Having made terrible mistakes in the road map debate three years ago, it is having to correct itself in so many ways that it might as well support this call for papers. We will look into renaming that little library.

The Hon. MARK BUTTIGIEG (17:10): This call for papers needs to be viewed through the prism of what it is—that is, an attempt to be political with what should be a bipartisan approach to making sure the lights stay on in New South Wales. Members opposite will remember that, when the former environment Minister introduced the renewable road map, they had bipartisan support because we believed in it and we got on board. We tried to put the State on a trajectory towards renewable energy. But, of course, the lack of planning and investment in that project meant that it did not get anywhere. Now that we are in government, we want to make sure that the project stays on track. We are halfway to our targets already thanks to the Minister's diligent work and there is public acceptance that this is where the State is heading.

As the Premier has said on many occasions, if the lights go out because we do not have adequate generation capacity, then we will lose the public's confidence in the State's transition to renewables. I almost feel sorry for Opposition members. They seem to be stuck in some sort of time warp where they double down on privatisation and not supporting local manufacturing and now they have come up with this crazy idea of sticking nuclear power plants everywhere. That is the Opposition in 2024. Again, the privatisation of the electricity network has made the job of connecting the transmission and distribution network to renewable energy sources that much harder. Nonetheless, we will get there, and we will get there in time.

In order to maintain the confidence of the New South Wales public, we need to keep the Eraring coal-fired power station open. The last thing we want is for the lights to go out and everyone to lose faith in the project. This call for papers—which should be a new motion, truth be told, because that is what it is—is just a political exercise in opportunism and fearmongering to scupper the renewable energy project. My advice to members opposite is to get on board with us and back us in when they see good policy that has public support. When we are doing the wrong thing, they should come up with an alternative. But I suggest that the alternative is something else besides nuclear energy.

Ms ABIGAIL BOYD (17:13): I am not sure how debate on the motion moved to nuclear energy. I indicate that The Greens support this Standing Order 52 request, as we supported the previous request. We do not need to wring our hands and start talking about who supports nuclear and who supports renewables. It is a sad day when one of the first major moves in energy policy by this new Labor Government is the extension of a coal-fired power station that is responsible for 10 per cent of our greenhouse gas emissions in this State. I see a lack of urgency and vision towards the renewable energy rollout. It is a sad day when I look across at Liberal members and consider their work on the renewable energy road map and think, "I didn't think that was great at

the time because it relied on private business quite a lot, but, damn, it looks a whole lot better than keeping the Eraring coal-fired power station open for two years more than it should be."

I was interested to see the first tranche of documents from the original call for papers. The documents paint a picture of Origin Energy, having made its billions in profit, thinking that it is going to have hard times ahead with a bit of a dent in its overall profits because it is not sure how it will fulfil its contracts with customers. Origin was not in a good bargaining position when it went into negotiations with the Government. Yet the Government has come away from the negotiations without any real evidence that it needed this extension for the reliability of the grid, unless we make a whole bunch of assumptions that are moveable and could be dealt with quite easily by the Government.

The Government is talking about how bill shock would be inconvenient, which, of course, it would. Rather than giving support to customers, it is giving support to Origin Energy. Origin has made billions of dollars in profit, has absolutely milked its customers and the Government, and has also, since it took over, exposed the people of the Central Coast and Lake Macquarie to years of pollution from the stacks and the coal ash dams. That is not insignificant. I know that there has been no consultation with the people living around Lake Macquarie about what they think of this. The Greens absolutely support the call for papers. It makes sense to amend the original motion so that we do not double up on work. I thank the Hon. Jacqui Munro for her work.

The Hon. JOHN RUDDICK (17:16): I apologise to the Hon. Jacqui Munro because I do not support this Standing Order 52 request. What are these documents going to tell us? We know it is a mess. The entire energy market in Australia, and in much of the Western world, is a mess courtesy of both sides of politics because they have both fallen for the global boiling delusion. It is not getting hotter. The oceans are not rising. Mass delusions have plagued humanity from the beginning, and both sides of politics have been subjected to it. No-one today is defending the COVID nonsense anymore or any of that garbage, and global warming is the same thing. We know why the Government has extended the operation of Eraring: because renewables are not working. It has been one convoluted mess after another, as big as Mount Everest.

We were promised a renewable revolution 20 years ago, but it is just not happening. Renewable energy was going to be so profitable. All it needed was more government funding. That is the thought process all around the world, not just in Australia. We have 1,000 years of proven coal reserves on the east coast of Australia. We export it everywhere and the Treasurer loves the royalties from our coal market, but we cannot burn it Australia. Thankfully, through a little bit of common sense, we are going to extend the operation of Eraring. At some point there will be a separation of the State and energy market. News came out today that the Australian economy grew by 0.1 per cent, despite a rising population. We have been in a technical recession for about a year. Why? That is because we have wrecked our energy market courtesy of both side of politics.

The Hon. JACQUI MUNRO (17:18): In reply: I thank all members for their contributions. I find the Treasurer's hubris remarkable, considering he is about to lose this vote. The majority of members in the House believe that these papers should be publicly available for members to read. I note that I have tried to work with the Minister's office to ensure that her department, Treasury and the people who will provide these papers are given adequate time to return them to the Parliament. That is why the motion is structured the way that it is and why it was amended. We have tried to work together to do the best that we can by our public servants and give them enough time to return this important information. I thank the Hon. Mark Latham for the suggestion that a library should be named in my honour. I appreciate "Have a go, Munro"; maybe "Let's go, Munro!" is another one. I hope I have long years in this House to demonstrate the worthiness. I thank members for their contributions. I look forward to receiving the papers.

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

Motion agreed to.

Motions

HEALTH WORKERS AND GAZA CONFLICT

Dr AMANDA COHN (17:20): I move:

- (1) That this House notes that:
 - (a) 43,000 Australian health workers have signed a petition calling on the Federal Government to address the humanitarian and health disaster in Gaza by demanding urgent ceasefire to allow their healthcare colleagues to work in safety;
 - (b) between October 2023 and January 2024, 59 complaints against health practitioners related to social media posts about the humanitarian crisis in Gaza were received, investigated and resolved by the Australian Health Practitioner Regulation Agency [AHPRA];

- (c) in February 2024, AHPRA revised its social media guidelines to clarify that doctors who call for peace in Gaza are unlikely to trigger an investigation, affirming their right to post on social media and advocate for social causes; and
 - (d) AHPRA's revised guidelines are supported by the Australian Medical Association.
- (2) That this House recognises the harrowing accounts published in the ABC on 3 June 2024 of Australian doctors who recently provided medical assistance in Gaza, including Dr Sanjay Adusumilli, a Sydney surgeon, who reported performing amputations on children with inadequate pain relief and witnessing the death of children almost daily, and Dr Modher Albeiruti, an emergency physician from Wollongong Hospital, who described the dire situation at the European Hospital in Khan Younis, where most patients arrived with non-survivable injuries.
- (3) That this House acknowledges that:
- (a) health workers are professionally committed to codes of ethics that compel them to provide care to individual patients, and also extend beyond their daily practice, encompassing a broader dedication to the health of whole communities;
 - (b) many health workers interpret this commitment as a responsibility to limit human suffering in times of war;
 - (c) health workers deserve to be protected from intimidation and harassment in their professional lives that may result from publicly advocating for the protection of human health and safety; and
 - (d) calls to protect health facilities and health workers during armed conflict are in keeping with established international humanitarian law.
- (4) That this House calls on the New South Wales Government to support and affirm the rights of healthcare workers to publicly advocate for social causes, including making statements advocating for peace and calls to protect health facilities and health care workers.

Health workers know better than most that global catastrophes, including war, famine and displacement, create seismic health challenges. Health workers recognise the interconnectedness of human and environmental health and, in many cases, are ethically and professionally compelled to advocate for whole communities. The oath that I took as a fellow of the Royal Australian College of General Practitioners includes the line, "I extend these commitments beyond individuals to the health and wellbeing of all people."

According to the United Nations and the World Health Organization, the people of Rafah in southern Gaza are "once again in search of safety that doesn't exist", as airstrikes destroy the camps of displaced peoples. The World Health Organization's surveillance system for attacks on health care in the occupied Palestinian territories has counted hundreds of confirmed attacks, deaths and injuries, including abductions, assaults and detention of health personnel and patients; the militarisation of healthcare assets; attacks impacting facilities and supplies; and the obstruction of healthcare delivery.

It has been reported that aid and health workers account for at least 700 of the more than 34,000 people killed in Israel's assault on Gaza. Of Gaza's 36 hospitals, only 10 are partly functioning, according to the World Health Organization. The clinicians named in the motion and their colleagues cannot be expected to return from a war zone and simply leave behind the horrors that they have witnessed and worked in. The vicarious trauma and solidarity shared with their colleagues have spurred them to advocate for peace. Groups like Nurses and Midwives 4 Palestine, and Australian and New Zealand Doctors for Palestine have formed to support and connect health workers undertaking such advocacy.

The NSW Nurses and Midwives' Association Committee of Delegates has resolved to call on the Federal Government to demand that Israel enact an immediate ceasefire, implement sanctions, cease military trade and call for the release of all remaining hostages. Additionally, the motion urges the Government to increase aid funding for humanitarian relief in Gaza and assist in rebuilding the healthcare system when safe. More than 43,000 Australian health workers have petitioned the Federal Government to demand an urgent ceasefire to ensure that their colleagues in Gaza can work in safety and provide much-needed medical care. The petition reads:

We are proud to work in a health care system that serves people from different backgrounds. We are grateful for leaders who support us to uphold the medical ethical principles of non-maleficence (to do no harm) and beneficence ... We cannot stand by silently and allow this to continue—to do so would betray our medical ethical principles.

On other issues, the public advocacy of Australian health workers is commended. For example, in 2017 Australian neurosurgeon Dr Ruth Mitchell was awarded the Nobel Peace Prize as part of the international campaign to abolish nuclear weapons. However, for their advocacy for Palestine, health workers—including doctors, nurses, psychologists and others—have been reported to regulatory bodies. Australian and New Zealand Doctors 4 Palestine has expressed its deep concern over the targeted cyberbullying of doctors engaged in Palestinian advocacy, including online harassment, employing social media platforms to disseminate non-contextual and misleading commentary. False accusations, such as antisemitism and support for sexual violence, are propagated alongside incitements to harass and the disclosure of workplace and medical registration details.

In a survey of its members, Australian and New Zealand Doctors 4 Palestine found that over 50 per cent of respondents had experienced or witnessed bullying or harassment at their workplace due to voicing concerns

about Palestine. Higher rates of those incidents were experienced by people of Islamic faith and hospital workers, and a staggering 86 per cent of respondents were women. Their concerns centred on repercussions and security of work, including junior doctors fearing reprisal. This was exemplified by one health worker, who said they had suppressed their advocacy due to the possibility of not having a resident visa being reapproved when it expires. Premier Chris Minns has said recently, "I am responsible for peace right here in Sydney and this State, and that is what our approach to this complex issue has been." To this end, I urge the Government and all members of Parliament to support the rights of our health workers to uphold their ethical and professional obligations to advocate for the health and wellbeing of all people.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (17:24): I indicate that the Government supports the motion moved by Dr Amanda Cohn. Healthcare workers are, of course, bound to serve all members of the community, and we must ensure that they feel included and respected. This Government strongly supports all members of the community feeling safe in their access to public services—in particular, health care—no matter their background. Earlier today I attended a forum of Aboriginal mental health and wellbeing workers. A particularly powerful thing that was discussed in that forum was how the history of the Stolen Generation and the impact of those experiences provided a real barrier to some people in our Aboriginal community accessing health services.

The issue of the Government's support for the provision of health services in which every single member of the community feels safe and able to go to a doctor or a hospital and access health services is indeed an important one. Part of ensuring that is the fact that healthcare workers employed by NSW Health are bound by a code of conduct that places obligations on them relating to their political views. It is appropriate that that is indeed the case because all staff must carry out their duties in a politically neutral manner. When making public comment on issues or participating in political activities, staff should not indicate or imply that the views that they hold are the views of NSW Health. It is important that when we provide vital health care to the community, no matter what their politics or their views are, every single person must feel that they are welcome and are able to walk into a GP or a New South Wales hospital and receive care based on their need, not based on any political views that they hold or that the healthcare professional may hold.

All staff are aware of their obligations under the code of conduct. If they are not, they are able to seek advice on how to manage those obligations to ensure that those important principles of full support for everyone in the community to access health care are upheld. Healthcare workers who are registered under the Australian Health Practitioner Regulatory Agency also have obligations under national law to ensure that they are behaving in a way that ensures the open provision of health care to everyone. However, as private individuals, healthcare workers making statements advocating for peace, calling to protect facilities and healthcare workers, and calling for accuracy, truth and impartiality when reporting on a war or conflict is completely acceptable. As a proud multicultural society, it is important that we reflect on that balance.

The Hon. CHRIS RATH (17:21): I move:

That the question be amended by inserting after paragraph (4):

- (5) That this House condemns Hamas, and calls for:
 - (a) the release of the Israeli hostages;
 - (b) a two-State solution; and
 - (c) the right of Israel to defend itself.

I think the amendment improves the motion. Members in this House should feel comfortable in condemning Hamas and calling for the Israeli hostages to be released. We should all feel comfortable in supporting a two-State solution, and, of course, we should all support Israel's right to defend itself. This important amendment would significantly improve the motion, and I hope that all members of this House support the amendment. I do not particularly like paragraph (4) of the motion. The reality is that what I think that Dr Amanda Cohn is trying to do is a bit of political trickery. In essence, she is trying to inflate the 59 complaints against health practitioners with calls for a ceasefire.

But what did the Australian Health Practitioner Regulation Agency say about those 59 complaints? It expressed its intention to investigate nurses posting to social media "a condemnation of citizens of a country, or a cultural or religious identity". Clearly it is providing those guidelines in response to the complaints. There must be some reason behind that. Potentially it is that the posts are antisemitic in nature. It begs the question why The Greens are seemingly running a protection racket for antisemites. Regardless of the content of the posts, members on this side of the Chamber firmly believe that public servants have a duty to remain impartial. Just because health workers have a duty to limit human suffering, it does not mean they need to support Palestine.

There are a number of reasons nurses should not express political opinions. For one, the State pays workers to provide care to all members of society. There exists an ethical emphasis on non-discrimination in the profession. If this House votes to enable nurses and other public servants to express those opinions, imagine the signal it would send to marginalised members of our community. Unfortunately, when a public servant makes a political statement in the capacity of their employment, it reflects on their organisation and thus the Government as a whole. That is an important distinction. Are they speaking on behalf of their organisation and using their title? Or are they speaking as a private citizen? That is an important delineation that we need to make. A situation where the Government is essentially sanctioning a viewpoint, especially an antisemitic viewpoint, is untenable.

The PRESIDENT: I make the point that members are falling into a pattern of standing up when seeking the call and not saying "Mr President". The problem is that I am not noticing them from time to time. That is why members have been required to verbally seek the call throughout recorded history of the Westminster system. I ask members to continue with that convention.

The Hon. RACHEL MERTON (17:31): I oppose the motion moved by Dr Amanda Cohn and I support the Hon. Chris Rath's amendment to the motion. I acknowledge the professionalism, dedication and commitment of News South Wales health workers. They are well respected and highly valued, and held in the highest regard. I also acknowledge the critical work many local health professionals are currently undertaking relating to the existing circumstances in Gaza. Paragraph (4) of the original motion "calls on the New South Wales Government to support and affirm the rights of healthcare workers to publicly advocate for social causes, including making statements advocating for peace and calls to protect health facilities".

Let me be clear. I have no problem with individuals advocating and protesting for social issues in their private capacity. The right to protest is a fundamental aspect of our liberal democracy. However, it is unacceptable when people are protesting in their capacity as an employee at a government-funded place of employment. There is a crucial distinction to be made there. It is critical to the integrity and independence of the New South Wales public service. NSW Health has a code of conduct. It is a public document and was referred to earlier. I make reference to point 4.3.14, which states that staff must "carry out their duties in a politically neutral manner". The fact remains that public advocacy concerning Gaza and Israel at this point does not fit that definition for an employee of NSW Health.

I remind the House that I previously raised the issue of codes of conduct relating to the New South Wales Department of Education. There have been reports of teachers advocating for Palestine in schools. There has been communication referring to Anzac Day ceremonies as "myth-making" ceremonies and that "the Anzac Day myth is used to justify the atrocities". This week there have been reports of Ramsgate Public School in the electorate of the New South Wales Premier using an offensive song that uses the phrase "white devil" and describes Captain James Cook as a "murderer without a licence". It is not acceptable. Codes of conduct are in place so classrooms remain places of learning and hospitals places of healing. They are not venues for political activism. I commend the amendment to the motion.

The Hon. MARK BUTTIGIEG (17:34): I find fundamentally objectionable the idea that people, just because they are employed in the public sector, do not have a right to speak the truth and say what they think is a wrongdoing—and this is from the party of free speech. What has happened to it? Imagine if you applied this logic and standard across the board, whereby people are not allowed to speak, just because they are in the employ of the government sector; you would not have whistleblowing legislation. The fundamental principle of our democracy is that people have a right to stand up and speak truth to power. My view is that if people do that, we become a much stronger nation and a much stronger democracy for it.

I find it fundamentally objectionable that people would be gagged based on a particular political party's view of what is political content and what is truth. Citizens have the right to speak up and say what they think are social injustices. There will always be subjective judgements on whether or not there is a political slant to that. But the fact is that we can never get to the truth of a matter unless people are allowed to speak. I am flabbergasted that a party that purports to champion free speech, plurality and participation in the democratic process would try to suppress that under the guise of public employment. It is fundamentally objectionable and I cannot believe what I am hearing.

The Hon. JACQUI MUNRO (17:36): I support the amendment moved by my colleague the Hon. Chris Rath. It is very important that we recognise the horror that is going on in Israel and Gaza. Obviously the original motion sets that out in part. But the Hon. Chris Rath's amendment provides a more fulsome account of the reality of the situation. We, in condemning Hamas, should have no problem with noting that a designated terrorist organisation should not be supported in any way. We should recognise that Hamas made the attacks. It waged terror and war on the innocent citizens of Israel, murdering them, raping them and taking them hostage. One part of the amendment calls for the release of the Israeli hostages that are being held by Hamas. We are finding out each day that more and more of them are no longer alive. It is truly horrific but it is imperative that Hamas, a

terrorist organisation, be condemned and be called on to release those hostages as part of any discussion that we have about this incredibly complex and challenging issue.

The amendment also reaffirms a commitment to a two-state solution, which Australia has been fundamentally in agreement with for many years. Obviously there is complexity around this that we do not have time to debate today, but we are not going to solve this conflict overnight—far from it. It is incredibly difficult to find ways to move forward. But we should be truthful about the situation and note that a terrorist organisation invaded a country and that it should be condemned for doing so, and we should reaffirm that a democratic liberal democracy like Israel has the right to defend itself against terrorist organisations who are committed to waging war and spreading terror locally and around the world. Hamas is not committed to releasing the innocent hostages that it has held for months and months, many of whom—we are finding out day by day—are tragically no longer alive. Who knows how many remain alive? That is what we deserve to know. That is what we should be calling for in this Parliament.

Dr AMANDA COHN (17:39): In reply: I thank the Hon. Rose Jackson and the Hon. Mark Buttigieg, who have pointed out how advocacy can be undertaken by public servants in a way that does meet their obligations under NSW Health staff codes of conduct. I also thank the Hon. Rachel Merton. Even though I disagree with her strongly, she actually engaged with the substance of this motion, which is about the rights of health workers to be advocates here in New South Wales. The proposed amendment of the Hon. Chris Rath is clearly intended to derail debate on this motion entirely, making it a debate about the situation in Gaza itself. That is deplorable politics when the motion is about the safety of health workers here in New South Wales to be able to express their views.

I move:

That this debate be now adjourned.

The PRESIDENT: To clarify, is the member moving that debate on the motion be adjourned to the next sitting day?

Dr AMANDA COHN: Yes.

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

Motion for adjournment of debate agreed to.

Documents

COOTAMUNDRA HEALTH DRAFT SERVICE PLAN

Production of Documents: Order

The Hon. SARAH MITCHELL (17:41): I seek leave to amend private members' business item No. 1037 for today of which I have given notice by omitting "14 days" and inserting instead "28 days".

Leave granted.

The Hon. SARAH MITCHELL: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 1 January 2022 in the possession, custody or control of the Murrumbidgee Local Health District, the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast, the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast, the Treasury, or the Ministry of Health (including the Strategic Analysis and Investment Unit, NSW Ambulance, HealthShare NSW, NSW Health Pathology, eHealth NSW or Health Infrastructure) relating to the Murrumbidgee Local Health District document entitled *Cootamundra Health DRAFT Service Plan Version 1.1 March 2024*, published 13 May 2024:

- (a) all documents relating to the *Cootamundra Health DRAFT Service Plan Version 1.1 March 2024* and:
- (i) clinical health services reviews;
 - (ii) community engagement strategies;
 - (iii) consultations undertaken with Murrumbidgee Local Health District clinical, program and management and executive staff;
 - (iv) consultations undertaken with general practitioners;
 - (v) consultations undertaken with aged care providers and relevant private providers;
 - (vi) Local Health Advisory Committee meeting minutes;
 - (vii) Cootamundra Partnership Reference Committee meeting minutes;
 - (viii) Cootamundra HSP Executive Steering Committee meeting minutes;
 - (ix) Murrumbidgee Local Health District Board meeting minutes;

- (x) community survey development, presentations of survey findings and service use data;
 - (xi) current and projected service demand, future projected activity and benchmarks;
 - (xii) scenarios developed utilising Ministry of Health endorsed modelling tools;
 - (xiii) assessments of existing infrastructure;
 - (xiv) current and projected models of care;
 - (xv) current and projected workforce plans;
 - (xvi) capital investment planning or proposals;
 - (xvii) costings; and
 - (xviii) consultations with the Murrumbidgee Primary Health Network.
- (b) all briefs regarding any of the documents in paragraph (a) sent to, signed by, drafted by, received by or approved by:
- (i) the Minister for Health;
 - (ii) the Minister for Regional Health; and
 - (iii) the Secretary of NSW Health.
- (c) 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 move this motion largely on behalf of my colleague in the other place the member for Cootamundra, Steph Cooke, who has some concerns around what is happening with the health services plan for her local hospital in Cootamundra. She has relayed to me that she is shocked, dismayed and angry about where this newly released health services plan is up to and the impact on the future of maternity, surgical and pathology services at Cootamundra Hospital. It is a critical document. Obviously, in regional communities these services are closely interconnected. She has grave concerns about what this might mean for her local community.

Since becoming aware of the plan, Steph Cooke has told me she has had a range of stakeholders, including doctors, nurses, midwives, pharmacists, pathologists and other members of the community discussing concerns with her and wanting to make sure the right information is available to the community. There is also a lot of concern with the attempt at community consultation by the local health district; she used the word "shemozzle" to describe to me the way that alleged consultation took place. Her community feels very strongly about this. The motion is quite a detailed call for papers, but also specific in terms of the meeting minutes, the consultations and the information the Opposition is after from the Government.

I acknowledge that there have been discussions with the health Minister's office; I note his staff are in the Chamber. They asked for an extension of the terms from 14 days to 28 days, which is why I amended the motion. They indicated the Government would not oppose this call for papers if given the 28 days, which we were happy to do. The motion speaks for itself. I thank Steph Cooke for her strong advocacy on behalf of her community. The motion is about ensuring transparency. We do not want a situation where the community is lacking trust in the health services. This is about making sure we get all documents to do with the creation of the plan and know what is being discussed and consulted on. Ultimately, we will find out what services will or will not be available for the Cootamundra community under this initiative. I thank Steph for her work and I appreciate the Government's engagement on this particular issue. We look forward to this Standing Order 52 motion passing the House and getting the visibility and transparency we seek.

The Hon. EMILY SUVAAL (17:44): On behalf of the Government, I acknowledge the way the Hon. Sarah Mitchell has worked with the Government to amend the motion to ensure support. A community consultation process is underway on the Cootamundra Health Service draft services plan at the moment. This process plays a key role in planning these future facilities, particularly in regional areas. There has been oversight and engagement of a draft plan through an internal executive steering committee and a local partnership reference committee, which were established in April 2023. Membership of that committee includes local government; NSW Ambulance; the local health advisory committee; TAFE; representatives of the Aboriginal community; local general practitioners; the Murrumbidgee Primary Health Network; mental health, drug and alcohol and community care representatives; and local hospital management.

The consultation process that commenced in early 2023 included a community survey, community workshops, public forums and street stalls to discuss service planning. I am informed by the Minister for Regional Health that the draft health services plan is currently open for feedback until 23 June 2024. The draft plan is available online, and hard copies are available at Cootamundra Hospital, HealthOne Cootamundra, Gundagai Regional Council and Cootamundra Library. Written feedback can also be provided anonymously, with collection boxes provided at these locations. Further, the district has extended the community consultation period by two weeks at the request of the member for Cootamundra.

I understand that during the planning process the member for Cootamundra raised concerns about maternity services. I am pleased to inform the House that the district has since dispelled these concerns in a media statement and correspondence, confirming there are no plans to reduce maternity services at Cootamundra Hospital. I am also pleased to inform the House that the draft plan proposes new services including renal dialysis, infusion chairs, specialist ambulatory services and diagnostic services. This Government is committed to the consultation process to improve health services for the Cootamundra community. We are committed to regional health outcomes. The birth trauma inquiry highlighted the importance of maternity services, particularly those in the regions. An inquiry is also being conducted by the other place to look at regional health outcomes. In closing, I thank the member for moving the motion and for her leniency in working with the Government to extend the time frame.

Dr AMANDA COHN (17:47): The Greens support the motion for two reasons. Firstly, in the interests of transparency and accountability, this is a very reasonable motion about making sure health infrastructure is actually meeting the needs of a regional community, which we support in principle. Secondly, through my own work to uncover what is going on with the Albury hospital redevelopment, a representative of Health Infrastructure NSW who appeared at a Portfolio Committee No. 2 budget estimates hearing confirmed that the scope of our hospital redevelopment has been reduced to fit within available funding. That has not been clearly communicated at all with my community.

Health Infrastructure still says it is building the 2023 master plan redevelopment, despite the fact that the health Minister has categorically ruled that out in the media. It still says it is building what was announced by both New South Wales and Victorian Premiers in 2022, despite documents I had released through a similar Standing Order 52 motion passed by this House indicating that is clearly not the case. Personally, I have great empathy for people and health workers in Cootamundra, who are advocating for transparency around their health infrastructure. I hope—but I am not confident—that in the documents they will uncover actual community consultation and a health service that might actually meet the needs of that regional community.

The Hon. SARAH MITCHELL (17:49): In reply: I thank the Hon. Emily Suvaal and Dr Amanda Cohn for their contributions. I note conversations I have had with Dr Amanda Cohn as well—as a regional GP she knows all too well how important these health services are. I foreshadow that while we appreciate the Government's transparency on this issue, we may well be back. There are some interesting things happening with Gunnedah Hospital, near where I live. This has certainly piqued my interest as to what is going on in regional communities. We need to make sure we have services for people who need them the most. I thank the Government for the way it has interacted on this call for papers. As I said, we look forward to receiving the documents.

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

Motion agreed to.

Motions

OVERSEAS GOVERNMENT INTERFERENCE

The Hon. MARK LATHAM (17:50): I seek leave to amend private members' business item No. 1076 for today of which I have given notice by omitting paragraph (1) and inserting instead:

- (1) Condemns the attempted political interference and intimidation by the Peoples Republic of China officials towards democratically elected members of the New South Wales and Commonwealth legislatures after they spoke in this Parliament in support of Taiwanese democracy and attended a Taiwanese event on 13 May 2024.

Leave granted.

The Hon. MARK LATHAM: Accordingly, I move:

That this House:

- (1) Condemns the attempted political interference and intimidation by the Peoples Republic of China officials towards democratically elected members of the New South Wales and Commonwealth legislatures after they spoke in this Parliament in support of Taiwanese democracy and attended a Taiwanese event on 13 May 2024.
- (2) That this House notes that in recognising the success of Taiwanese democracy and its national elections in January 2024, we are recognising and celebrating the success of all democracies, including our own.
- (3) That this House rejects any attempt by overseas governments to interfere in Australian politics by trying to limit the freedom of speech and freedom of association of members of Parliament that is a foundation stone of democratic practice and the principles of parliamentary privilege in Australia.

This is a very important motion. It says that parliamentarians will not be bullied and will not be subject to intimidation by a foreign power when they are doing nothing more innocuous than attending events organised by their constituents. Plenty of Taiwanese Australians, in Sydney in particular, are residents, citizens and voters.

MPs have every right to attend a dinner celebrating Taiwanese democracy. Those matters have been canvassed in the media.

I welcome the comments of Premier Chris Minns, who said that no Labor MP will be pushed around in this way. He said, "We are not going to be in a situation where any Labor MP is going to be bullied or intimidated about going to a function. We live in a multicultural community. There are people from all over the world. Often those people don't agree with each other on international events, but it is the responsibility of every MP to represent their community." Absolutely. There is no doubt that under parliamentary privilege, parliamentary responsibilities and parliamentary duty, MPs should be free to go to events with their constituents to speak their mind and to associate with those that they regard as worthy of support. Of course, plenty of that happens, in a working democracy.

All those matters are known about the Taiwanese dinner event on 13 May in Rhodes. Perhaps not so well known is that three days prior to that I received a letter from the Chinese consulate. No individual put their name to it, but it is from the Consulate-General of the People's Republic of China in Sydney. Those who went to the dinner had a letter marked "concerns". I am one up on that. Mine was marked "profound concerns". This was the big kahuna—"profound concerns"—because I had given a speech in this place, again supporting Taiwanese democracy, and the fact that in January they had presidential and parliamentary elections. They have had a peaceful transition of power to a new president. They have a hung Parliament, which they are managing in a democratic way. I made the point in that speech that there is nothing inconsistent with democratic values and Chinese culture and Confucianism. I supported democracy on the basis that all democracies should stick together.

We should be urging every country around the world as much as possible to be democratic and in whatever conflict exists between Taiwan and mainland China, mainland China has a lot to learn from Taiwan and a lot to learn from our democracy. They are very slow learners. Not so long ago one political party was accepting donations from Huang Xiangmo. They had a senator standing on his lawn in Mosman advising that they needed to speak outside the House because ASIO might be bugging this Chinese spy. There was an Australian senator acting effectively in assistance of the Chinese cause. He lost his spot in the Parliament, which of course was an appropriate thing. Not long ago there was a major scandal in Australia. The Turnbull Government even passed foreign interference legislation in response to what the Chinese had been doing.

I can remember my days in the Federal Parliament when the relationship with mainland China was very strong, cordial and constructive. I do not know what went wrong with these people. But if we think for a moment that a foreign power would interfere in Australia's domestic politics—with spies, donations and political manipulation—of course it would be fouling its own nest. It is completely counterproductive. That was 10 years ago. The Chinese are like the French Bourbons—they have forgotten nothing and they have learned nothing. They are now upset and writing bullying, intimidatory letters to MPs who have gone to an event to celebrate the presidential election in Taiwan and the inauguration of the new President, but before that they wrote this "profound concerns" notice to me because I made a speech in this place.

The text of the letter is like the other letters; it is a pretty basic lesson about the one China policy. In relation to me, the first paragraph reads, "Your demeanour of making inappropriate remarks and engaging in actions concerning the Taiwan question over the past years is duly noted." I have had a lot of complaints over the years, but never about demeanour. I do not know if this is lost in translation here, but normally misdemeanour is more the grievance that I face rather than demeanour. Maybe it is lost in translation. Maybe it is like when Bob Hawke complained about Japanese tariff policy and said they were "playing silly buggers". It was translated as "amusing homosexuals".

I do not know what demeanour could be translated as in Mandarin. Maybe we could ask Kevin Rudd. I am not going to do that. It is pretty silly. The chances of changing my demeanour are minimal. Anyone who knows politics would know that the prospect of telling any of the MPs here—Paul Fletcher is the Federal parliamentarian involved—that we should not attend events organised by the Taiwanese community and that we should not make speeches in support of democracy is fanciful. No parliamentarian worth their salt will back down in the face of this nonsense.

We have good leadership from Chris Minns, who said the Chinese should back off and that it is totally counterproductive. There was a Labor MP at the function—Hugh McDermott from Western Sydney. I believe we have cross-Chamber support for this motion to say as a Parliament we are not going to tolerate for a nanosecond the idea of a foreign power telling us how to discharge our parliamentary duties. In a robust democracy there will be people in this place who are more supportive of mainland China than they are of the Taiwanese. There are those who may even support a two China policy, trying to anticipate foreign policy changes and the fact that Taiwan probably does look like it is here to stay. There are countries who say they would fight a war in support of Taiwanese sovereignty. These are live issues.

But unlike the People's Republic of China, we debate and contest these ideas—and the ballot box sorts out who has the majority. That is how we do things. The Chinese need to understand that. What they are doing time after time—from Dastyari onwards to these letters—is completely counterproductive to their cause. They are shedding friends and earning support and friends for Taiwan. As I mentioned earlier, when I was a Federal MP, we were all on very cordial terms—the Chinese came to our conferences, we went to theirs, there was no issue at all. That should be the basis of the relationship, instead of this nonsense of China having emerged as a significant power in the Asia Pacific, thinking that with that power comes the capacity to throw its weight around, to bully and intimidate, and to tell democratically elected MPs how to do their job. It is not on. I hope the House will support the motion and send a very clear message to the Chinese that it is not in their interests, it is not in our interests and these tactics of intimidation must cease.

The Hon. ROD ROBERTS (17:58): I support the motion moved by my colleague the Hon. Mark Latham. For the record I want it noted that I am one of the MPs who attended the Taiwanese function and I am one of the MPs who received one of these unsolicited letters from the Chinese consulate in Sydney. There are three core pillars of western democracy: freedom of speech, freedom of movement and freedom of association. That is the fundamental bedrock upon which our society is built and the foundation for its success. Any attempt to challenge, impede, ignore or attack these core pillars is a deliberate challenge to its success and its sovereignty. What we saw last week was an attempt by the Chinese Government to push its perspective onto members of this Parliament in ways that can only be described as intimidatory.

Those moves were, at best, a misstep and, at worst, disrespectful. It is not smart nor sensible diplomacy. It is ham-fisted, brute-force diplomacy. It is bad-faith diplomacy, which is not acceptable to me and, I suggest, other members of this place. Let me be on the record here, and for those elsewhere who are listening: I will not accept intimidation by anybody—a person or a nation. Nations that ask us to respect their sovereignty will respect that position. Relationships between people of different perspectives are always difficult and can be challenging to navigate. In striving to seek common ground for the common good, it is important to meet people halfway, to see and acknowledge their perspective and to give them the respect they deserve, even if we disagree with them. That is smart diplomacy. That is the key to a common prosperity.

That is not to say that we must compromise our convictions—far from it—but simply state our position. Despite our sometimes colourful conversations in this Chamber, I suggest that we, as parliamentarians, are a fairly pragmatic bunch. If people come to us and their position is solid, if they want us to hear them out, we will too. We will give them the respect they deserve. All we ask is that that respect be repaid. But here is a hint: Forcing a perspective onto Australians through intimidation probably is not the best way to get us on side. Australians are a rugged, independent and stubborn breed of people. It is in our blood; it is who we are. Ours is a country born from settler and convict stock. A strain of anti-authoritarianism follows us deeply. The moment someone tells us what to do and how to do it, they can expect us to do the exact opposite. That is how we operate. Those who give respect will get respect; those who don't, won't.

To see what I am talking about, just watch the State of Origin this evening. See what happens, for example, when a Queensland forward tries to push a New South Wales five-eighth. He is not going to cop it, roll over and say, "Fair point". He is going to push right back, dig in and hold his ground. And so he should. It is his right—his sovereignty—to stand his ground. I believe in good diplomacy. I believe in freedom of speech, freedom of movement and freedom of association. My door is always open to those who respect that. I can only promise to listen, understand their position and give them the respect of having an engaging, fruitful and important discussion, as I have always done. In closing, I reiterate that respect is a two-way street.

The Hon. RACHEL MERTON (18:02): I support the motion and commend the Hon. Mark Latham for bringing it to the House. Yesterday I also gave notice of a motion on this issue. I was among the members who had received a totally inappropriate email from the People's Republic of China consulate after attending the now well-publicised event celebrating Taiwanese democracy and the inauguration of the new Taiwanese President and Vice-President. I join with the Hon. Mark Latham in calling out the absolutely unacceptable and appalling acts of political interference that followed the attendance of members at that event.

On 13 January this year Taiwan showcased the strength of its democratic institution through free and fair elections where Mr Lai Ching-te and Ms Hsiao Bi-khim were elected as President and Vice-President respectively. It was a great moment for democracy and a moment of undoubted pride for our Taiwanese Australian community as well. This House rightly recognises those outcomes and the subsequent inaugural celebrations hosted by the Taipei Economic and Cultural Office here in Sydney, where I was honoured to speak.

Members of Parliament attend and participate in a variety of cultural and community events. Such events strengthen the bonds of community, friendship and cooperation across borders, based on shared values of freedom and mutual respect. However, the essence of this motion lies in its staunch rejection of the bullying attempt by the People's Republic of China to limit the freedom of speech and freedom of association—both foundation stones of

our parliamentary democracy—of members of the New South Wales and Federal parliaments. This act of interference is not just diplomatic indiscretion; it is a direct attack on the autonomy of our institutions, the integrity of our democratic processes and the safety of citizens.

When members of our Legislature are subjected to foreign pressure and intimidation for simply engaging in official duties—many would say doing their job—it reflects an attempt to influence and manipulate our governance. That is entirely unacceptable. It is behaviour that the communist Chinese Government would not accept if our embassy or consulate acted in that way towards their political representatives. We must send a firm, clear and unequivocal message that our democratic values are not up for negotiation and that any efforts to compromise them will be met with our staunch opposition and will be loudly called out.

We send a firm message. We join with the New South Wales Premier in his comments and remarks. We, as parliamentarians, will not be intimidated out of performing our responsibilities, our jobs and our duties as elected representatives of the people of New South Wales. We will not be bullied or pushed around by representatives of foreign powers clumsily trying to throw their weight around. Our support for the motion reaffirms our solidarity with those who stand for democracy anywhere in the world and our resilience against those who would seek to undermine it. Let us stand firm, united and resolute. I commend the motion.

The Hon. NATASHA MACLAREN-JONES (18:06): I speak in support of the motion. Unfortunately, I was unable to attend the event as I had another engagement, but, like other members in this Chamber, I have received one of those letters in the past, following my attendance as a member at a similar event. The People's Republic of China consulate in Sydney has engaged in actions that can only be described as a direct affront to the integrity of our democratic institutions. The attempt to intimidate our members of Parliament through unsolicited "concerns" emails specifically targeted at those who have shown rightful recognition of Taiwanese democracy is not merely troubling; it is an outright violation of our nation's sovereign principles. Such actions by the People's Republic of China consulate must be called out. We cannot allow this blatant attempt to silence voices that celebrate the success of democracy to go unchecked.

The "concerns" emails are an attempt to deter our parliamentarians from exercising their freedom to express views and to dissuade them from supporting democratic values. We must stand united, rejecting any form of intimidation that seeks to undermine the democratic process that we hold dear. Recognising the success of Taiwanese democracy is not merely a celebration of Taiwan's achievements but a reaffirmation of our commitment to the ideals that underpin our own democracy. Taiwan seeks freedom, fairness and self-determination—principles that we value here in Australia. We should acknowledge Taiwan's democratic processes as an expression of solidarity and respect for the universal democratic principles that bind free nations together. By upholding those values, we fortify the global framework of democracy, of which Australia is a proud and steadfast member.

Let us be clear: Any effort by a foreign government to interfere in our domestic politics is unacceptable. Any endeavour to limit the freedom of our political communication and association of our members of Parliament is a direct attack on the foundation stones of our democracy. Supporting the motion sends a clear and resounding message that Australia will not be intimidated, that we are proud to uphold our democratic values, protect the rights and freedoms of our country and that we stand against any attempt to infringe upon our sovereignty. I commend the motion to the House.

The Hon. CHRIS RATH (18:08): I was proud to attend the event in question. I think I was one of 11 members of Parliament who attended. I note that members in the Chamber, such as the Hon. Damien Tudehope, the Hon. Jacqui Munro, the Hon. Rod Roberts and the Hon. Rachel Merton, were in attendance, as were members from the other place. In 2012 I visited Taiwan as part of a Future Leaders delegation. I look forward to visiting at the end of June, together with the member for Oatley, Mark Coure, and the member for Prospect, Hugh McDermott, on another delegation, this time as an elected member of Parliament. It is a beautiful country with beautiful people. It is one of the most advanced economies in the world. It is a technological and startup powerhouse in the Asia-Pacific region. It was the first—and is one of the only—Asian countries with marriage equality, which we should indeed celebrate. Hopefully other countries in the Asia-Pacific region will follow suit as well.

I have always been pro-Taiwan, and I am always very happy to attend their events because of the shared values like democracy and freedom that Taiwan and Australia are built upon. The event celebrated the peaceful transition of power from one president and vice-president to another, after a successful round of democratic presidential elections. It was ironic that we were then threatened by the Chinese consulate in Sydney for attending. That contrast is so stark. There were probably 600 people in attendance. Rhodes Phoenix was completely packed, and the food was fantastic. On the one hand we celebrated Taiwanese democracy, and on the other hand we came back to our offices a few days later to find threatening emails from the Chinese consulate. The contrast is so stark and really points out who the good guys are in all of this.

Members of the upper House represent a wide range of ethnic and special interest groups. It is our duty to meet with them and celebrate the diverse cultures in New South Wales. Part of our job is to meet with these groups, regardless of our personal opinions on the issues that affect them, because the job of a representative is to listen. I was shocked when, a few days after attending the event, I received an email from the Chinese consulate in Sydney condemning my attendance at the Taiwanese community event. A number of the consulate's comments stood out to me, but what was said about the importance of Chinese foreign policy stood out in particular. It stated:

Attending the abovementioned function is a violation of the one-China principle, which has breached the bilateral political commitment and sent a seriously wrong signal to the separatist forces for Taiwanese independence.

All members would agree that that was quite a heavy-handed remark, but it is not a new line of attack from the Chinese Community Party. It was absolutely correct that after those emails were sent both the Premier and the Leader of the Opposition condemned them and came out to support members of this place attending community events, regardless of the group in question. But it is not a new line of attack. Our very close ally, Canada, had a similar experience. In August 2021 China sent a warning letter to several Canadian MPs who participated in the formation of a parliamentary friendship group with Taiwan. I am a member of the NSW Parliamentary Taiwan Friendship Group, as are many members.

Canadian Liberal MP Judy Sgro was subject to intimidatory tactics from the Chinese embassy in Ottawa over her decision to lead a delegation based on trade and cooperation with Taiwan. Thankfully Ms Sgro stood strong against that rhetoric and a dialogue was maintained with Taiwan so that the community could be adequately represented and China's hollow bullying tactics rejected. Members of the European Parliament faced similar threats from the Chinese envoy in 2021. Chair of the Special Committee on Foreign Interference in all Democratic Processes in the European Union and French Socialist MP Raphael Glucksmann stood up on that occasion and identified the importance of supporting a democracy under pressure in eastern Asia. Mr Glucksmann said that it is difficult for the world to comprehend how "difficult and courageous" it is to build a democracy while it is under threat from an authoritarian regime, especially when China continues to pressure every possible ally away from supporting it.

Around the world, governments in Lithuania, Brussels, Canada, the Czech Republic and the United States are increasingly under pressure from manipulative Chinese tactics to repress their own support for the greatest system of governance that exists: democracy. One by one, those nations have rejected that manipulation. New South Wales is just the latest State to receive diplomatic pressure. I often think of the great quote from Winston Churchill, who said that democracy is a terrible system, except for all of the others. At this particular event we were celebrating Taiwanese democracy and the many values that Australia has in common with Taiwan. It is important that we support Taiwanese residents and the democratic values of Taiwan.

Giving in to any pressure from China represents a gross desertion of our duties as parliamentarians and empowers China and other authoritarian regimes to further influence Western democracies. The email I was sent made that clear to me. China implied that we as a Parliament would do well to "avoid unnecessary interference or damage to the hard-earned momentum towards improving China-Australia relations and the overall situation of the cooperation between China and New South Wales". That sounds like an empty threat. It echoes the comments of China's former Foreign Minister, Wang Yi, who in 2020 said that "to challenge the one China principle is an act of international treachery" and that the then-Czech Senate President would "pay a heavy price" for making any visit to Taiwan.

We as parliamentarians cannot allow democratically elected leaders to be intimidated by foreign powers. If standing up for our freedom and our community's interests means vexing China, which needs our trade just as we need theirs, then so be it. I fully support the comments of shadow foreign affairs Minister Simon Birmingham, who said that this intimidation and China's live-fire exercises following the event attended by New South Wales members was "an action that risks miscalculation and risks escalation and is deliberately dangerous". We must all consider that danger. However, as far as I am concerned, our job is to represent the people of New South Wales, not the people of Beijing.

Former United States Supreme Court Justice Felix Frankfurter said, "In a democracy, the highest office is the office of citizen." We must not forget who we are here on behalf of. I will continue to support Taiwanese democracy. I will continue to work constructively with them, and all of our trade and diplomatic partners for the best interests of the people of our State. I will continue to stand up to hollow, manipulative intimidation.

The Hon. JACQUI MUNRO (18:17): I support the motion of the Hon. Mark Latham and the comments my colleagues have made in their contributions to the debate. I was also at the event that inspired the emails from the Chinese Communist Party's consulate in Sydney, and I was also surprised to receive the email. I did not really understand what it was trying to achieve, to be honest. There was no phone call or open discussion. The email was an attempt to intimidate and change the course of my behaviour as an elected representative. But it has not

had the intended effect on me—quite the opposite. Paragraph (2) of the motion celebrates Taiwanese democracy. The event was attended by hundreds of members of the Taiwanese community. I spoke at the event about the impressive nature of Taiwanese democracy, and its ability to uphold its strength and character, particularly in the age of technology.

Taiwan is known for its very advanced artificial intelligence and digital capabilities, but its process for counting votes is quite analogue in nature. It does so to ensure that the people of Taiwan can have a say, and their say is respected and considered highly legitimate. Like in Australia, that is a process in which everybody casts their vote on a paper ballot. Once those votes have been cast, they are counted. During that process each vote is taken from the ballot box one at a time. A voting or electoral official will then take that ballot, hold it up to the camera to ensure there is full public transparency and announce the vote and the intention of the vote. It is then counted. It does take some time, but the analog process of ensuring that each vote and each ballot is valid is extraordinarily effective in maintaining confidence in Taiwan's democratic system.

I also give a shout-out to Audrey Tang, Taiwan's first digital affairs Minister. She has a remarkable story. Born six years after the martial law era ended in 1987, she became a pillar for the connection of digital democracy in Taiwan. Technological platforms like Polis have been incredibly effective in allowing Taiwanese people with differing political views to come together and find commonality. Australia could learn a lot from that kind of democracy. It is considered pro-social media, where people actually engage in discussion and debate that is not automatically polarised like many social media applications and websites seek to do today. It allows people to come together to use technology to come up with positions that people can be confident in and, therefore, further enhance their democracy. We in Australia and New South Wales can learn from a democracy like Taiwan, which is new and exciting and should be celebrated—as we did. We should be able to celebrate that in peace and have confidence that we will not have foreign governments attempt to intimidate the actions that we take as elected representatives.

The Hon. SCOTT FARLOW (18:21): I support the motion of the Hon. Mark Latham. Unfortunately, I was not at that event. I was with the Hon. Jacqui Munro at a committee hearing earlier that day. I had RSVP'd to go. I was also recovering from COVID and feeling very ordinary so I had to send my apologies. That is why I did not receive the email or communication that other members have. But I have attended Taiwanese community events ever since I came to Parliament and will continue to attend such events and stand with our friends in the Taiwanese community, particularly our Taiwan expatriates in Australia.

It is a rich and strong community that values the rule of law and democracy, a community with members who value their homeland and those who live there. It is difficult to have a land that is constantly threatened, and we have seen that in the recent provocations. It is not unusual for members of Parliament in the State to attend multicultural events nor for members to extend that friendship to all communities across the State. I will attend Chinese community events as I will attend Taiwanese community events. I have attended these events in the past and have not received the opprobrium that other members in the Chamber have received.

The Hon. Penny Sharpe: Don't they know who you are?

The Hon. SCOTT FARLOW: I only received opprobrium from the Hon. Penny Sharpe, the Leader of the Government in this place. She is very good at dislodging me from my train of thought—maybe a little more successful at this hour than earlier. This action says something about the posture of the Chinese consulate at the moment, which is sad, because we enjoy a good relationship with China. It is our largest trading partner, and that should continue. But with that relationship comes respect for what goes on in this country and how we treat the communities in our State. Sadly, I have seen this before and, like it has for the Hon. Jacqui Munro, it strengthened my resolve.

When I was Mayor of Strathfield, I received lots of entreaties to not go to Taiwanese events. Unfortunately, at that time, I did accede to some of those on the advice of council staff. I have always regretted that because I do not think we should be pushed around in this country. Ever since being in this place, I have ensured that that was something I would not do. I seek to strengthen the relationships between all communities in Australia, whether they be Taiwanese, Chinese, Korean, Indian or the like. We in the House must all confirm that we support our independence as a nation, that we will stand on our own two feet and that we protect the rights of members in this place to be able to attend events to represent our communities and parties and celebrate the great thing that is democracy.

The Hon. DAMIEN TUDEHOPE (18:24): I also attended the event and I will not repeat a number of the observations made by others about the email that we received as a result of that attendance. But I make a couple of observations. I was previously the member for Epping, which is a constituency of many Chinese, Koreans, Sri Lankans and Indians. It is one of the most ethnically diverse electorates in the State. I received many invitations to events, and some of the best events I attended were the Chinese events conducted in Eastwood and

Epping. I have much respect for the diaspora of Chinese who now call Australia their home. In many respects, that community has embraced the Australian way of life and democracy. I say to members in that community that they ought to be scandalised that representatives who they elected to Parliament would be approached to not fulfil their community responsibilities because of some political difference.

I acknowledge the political difference with respect to mainland China's view of Taiwan, but that should never be the subject of a threat to suggest to a member of Parliament that they should not attend a community event within their electorate or to represent their constituency. I regret having received such an email. The senders of the email should reflect that sending emails of that nature, potentially threatening members of Parliament, is inappropriate. It cuts across the obligation of members to properly represent their constituency. Again, I respect all those people that I had the opportunity to represent when I was a member and continue to represent at every opportunity. I now live in Eastwood. Those who know Eastwood know that it has a fantastically diverse community with lots of Chinese residents because we have great schools, restaurants, coffee shops—the lot. They are great contributors to New South Wales society, and they have embraced that society. I find it regrettable that the Chinese consulate should have seen fit to send the email that they did in respect of this Taiwanese event.

The Hon. SUSAN CARTER (18:27): Every member who has contributed to debate has been rightly shocked at the emails that were received. It is important to reflect on this because it tells us something about our own society and culture. Why are we shocked? Because freedom of association is not simply a set of words in this country; it is a reality. We are used to being able to go where we want, with whom we want, when we want. Freedom of speech, hotly contested at times, is a reality in this country. We throw around these words and acknowledge these values all the time. But how often do we stop and think how precious they are, and how, at times like this, we must stand up for them. We must indicate that this is the real birthright of this country, this is the strength of this country, and these are principles that should be defended because without these important values, our society changes fundamentally. It is really important that everybody has been shocked because it reminds us of what is truly important and of all those things for which we must continue to work and fight.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:29): The Government will support the motion for the same reasons that many members have outlined in debate tonight. The Premier made the Government's position clear when he stated that MPs will go to community functions as they see fit and as they deem appropriate. When invited to community events, MPs should not feel intimidated about what they go to. We do not always agree with the circumstances around those events, but the basic premise is that the door is always open. We are so lucky to live in a multicultural country. We get to share each other's cultures and ideas at a range of different functions. This function is no different, and MPs should be able to attend.

Australia continues to build deep and productive unofficial economic and cultural ties with Taiwan. That includes two-way visits, State, Territory and local government contacts, trade and investment opportunities, and people-to-people links. Australia supports Taiwan's meaningful participation in international organisations and conferences. Australia is also a reliable supplier of energy, resources, food and services to Taiwan. Those ties are consistent with Australia's longstanding and bipartisan policy on China and Taiwan. Presidential elections were held in Taiwan on 13 January 2024. The Democratic Progressive Party won control of the presidency and the central government. Australia has congratulated Dr Lai Ching-te of the Democratic Progressive Party on his victory in the Taiwan elections. The people of Taiwan should be congratulated on the peaceful exercise of their democratic rights.

The New South Wales Government supports efforts to stabilise the relationship with China without compromising what is important to Australians. We believe in a constructive relationship between Australia and China that upholds our respective national interests. We acknowledge that there are differences on some important issues and that the best way to approach those is with dialogue. The Federal Labor Government has shown that it is willing to speak out on issues that matter to Australians, including Australians detained in China, trade impediments, regional security and human rights. Those discussions are ongoing. We agree with Federal Labor's approach to cooperate where we can, disagree where we must and engage in our national interest. MPs must be able to cooperate where they can, disagree where they must and open dialogue with everyone who invites us to engagements and events in our community. That is why we support the motion.

The Hon. MARK LATHAM (18:31): In reply: I thank all members who contributed to debate on the motion, including the Leader of the Government, the Leader of the Opposition, the Hon. Rod Roberts, the Hon. Rachel Merton, the Hon. Chris Rath, the Hon. Natasha Maclaren-Jones, the Hon. Jacqui Munro and the Hon. Scott Farlow. To wrap up the debate, I thank members for what appears to be unanimous support across the Chamber for this important principle of our independence when doing our work as parliamentarians. Firstly, I hope the Chinese officials are listening to this debate. They seem to listen and watch a lot. Listening to this debate would confirm that what they are doing is completely and utterly counterproductive and should cease.

Political interference in our system will take friends and support away from the People's Republic of China and garner it towards Taiwan. Secondly, clearly, as we heard in the debate, the world would be a better place if mainland China was more like Taiwan and learned lessons about democracy, freedom and the values we support as parliamentarians. We will continue to express our freedom of speech and our absolute freedom of association. I thank the House.

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

Motion agreed to.

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

Governor

ADMINISTRATION OF THE GOVERNMENT

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I report receipt of a message regarding the administration of the Government.

Documents

RACECOURSE HOUSING DEVELOPMENT

Production of Documents: Further Order

The Hon. SCOTT FARLOW (20:02): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, excluding any documents previously returned under an order of the House, created since 13 March 2024 in the possession, custody or control of the Premier, the Treasurer, the Minister for Planning and Public Spaces, the Minister for Transport, the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources, the Minister for Better Regulation and Fair Trading, Minister for Industry and Trade, Minister for Innovation, Science and Technology, Minister for Building, and Minister for Corrections, the Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast, the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast, the Premier's Department, the Cabinet Office, the Treasury, the Department of Planning, Housing and Infrastructure, Transport for NSW, Sydney Metro, the Department of Enterprise, Investment and Trade, or Investment NSW relating to racecourse housing development proposals:

- (a) all documents relating to proposals to develop Rosehill racecourse for housing;
- (b) all documents relating to proposals to develop any other racecourse for housing;
- (c) all documents relating to assessments undertaken of the suitability or potential for developing any racecourse for housing;
- (d) all documents relating to the impact of any proposal to develop Rosehill racecourse for housing on planning for Metro West; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Following the passage of the Standing Order 52 motion into racecourse housing development proposals in the March sittings, there have been further developments in the Premier's pet project—the so-called unsolicited proposal to convert Rosehill racecourse into housing. This further order for papers is limited in its scope, but it is necessary because about two weeks after the order was returned the actual proposal for the redevelopment of Rosehill racecourse was submitted.

This further order for papers will allow for the proposal made by the Australian Turf Club [ATC] to the Government for the redevelopment of Rosehill racecourse to be scrutinised. As we learnt from the initial motion, there was a significant discussion between the department and the ATC on an original 3,017-dwelling proposal along James Ruse Drive and surrounding the Rosehill racecourse. Discussions were ongoing until the ATC met with the Premier, and only nine days later a proposal for an entire redevelopment of 25,000 homes appeared. It is imperative that the Government remains impartial under the unsolicited proposal process, but instead the Premier called the proposal a "once in a generation opportunity" and has been its biggest proponent ever since.

Amazingly, as we found out from the previous Standing Order 52 motion, the Government had even created an options analysis for Project Wattle two days before the proposal had been presented. This considered a direct deal, a compulsory acquisition or an unsolicited proposal, and bureaucrats said that it presented a "probity risk—perception that New South Wales Government is engineering an unsolicited proposal for a government-driven transaction". This motion seeks to simply get the proposal. This House has already established an inquiry into the Rosehill racecourse proposal. It is beneficial for all members of that committee to be able to

have those documents before them so they can see what the actual proposal is. If the Government has nothing to hide, then let the sunshine in.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:04): The Government is opposed to this motion. The Government has been transparent about what is happening and the opportunity that is provided by the Rosehill racecourse proposal. We announced a memorandum of understanding in December 2023, partly to ensure transparency and to make sure the unsolicited proposal process could unfold with the strongest probity requirements. Housing is the single biggest pressure facing the people of New South Wales, with mortgage or rent payments being the largest expense for most households.

We are committed to building more housing in the right places where people want to live, to improving affordability, to reducing building and infrastructure costs and to creating thriving communities. Unfortunately, it is clear that the Opposition does not share that view. While the Opposition says it cares about housing, it is doing everything in its power to try to stop anything being built. This situation is now at a crisis point. After 12 years, this is where we are at. Last year, New South Wales reported fewer overall building completions than Victoria, despite our higher population. We produce about six homes for every 1,000 people each year compared with eight in Victoria and nine in Queensland. Despite New South Wales having the largest population, the largest expected increase in population, the highest rents and the highest median house prices, New South Wales is last on the east coast when it comes to housing completions. New South Wales completed 48,000 new buildings in 2022. This is behind Victoria, which completed 59,000 new buildings.

While this motion is moved under Standing Order 52, I think that we need to have a serious conversation about the Opposition's view on building new housing. Today we saw the introduction of a preposterous bill that would stop the very basic idea of transport oriented development, which is the building of houses near public transport. The Opposition is against that. The Opposition is also apparently against the Rosehill racecourse proposal and continues the ongoing search for some sort of mysterious link here, but this is very straightforward. This is a greenfield site with the potential to build 25,000 houses near the Parramatta River with a new metro station. There are not that many sites in Sydney that are available, and yet the Opposition wants to continue to try to tear the proposal down. The Government does not support this motion and does not believe it is necessary. We want to get on with the business of working through this proposal. There is a lot more still to happen with the Rosehill racecourse proposal, and we are working through that process with the Australian Turf Club. This Standing Order 52 motion is unnecessary.

The Hon. DAMIEN TUDEHOPE (20:08): I listened to the Leader of the Government's opposition to this Standing Order 52 motion, and it is fundamentally flawed. Opposition members are absolutely committed to the delivery of new houses except that, unlike Labor, we want to do it in a way that is transparent, open and not subject to probity considerations. Labor has corrupt process in its DNA.

The Hon. Penny Sharpe: Point of order: That is a completely outrageous allegation, and I demand that you ask the member to withdraw it. If the member wants to make allegations like that, then he should do so by way of substantive motion.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I uphold the point of order.

The Hon. DAMIEN TUDEHOPE: I do not withdraw it.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Leader of the Government and the Leader of the Opposition will resume their seats. I offer the Leader of the Opposition the opportunity to reconsider the phrasing of his statement, given that the Minister has said that she found that comment personally offensive. There may be an opportunity for the Hon. Damien Tudehope to reconsider his phrasing in this instance.

The Hon. DAMIEN TUDEHOPE: To the issue that is raised, I did not suggest that this member is corrupt. I suggested that Labor had corruption in its DNA. I did not suggest this member. To the extent that the Leader of the Government takes offence, I withdraw it.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The member's time has expired.

The Hon. DAMIEN TUDEHOPE: Will you grant me an extension of time?

The Hon. Penny Sharpe: You are not going to accuse people of things that are not right?

The Hon. DAMIEN TUDEHOPE: Of course, I won't.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Members will address their remarks through the Chair.

The Hon. DAMIEN TUDEHOPE: I seek an extension of two minutes.

Leave granted.

The Hon. DAMIEN TUDEHOPE: I am suggesting there is a total misconception of what this call for papers is about. It is about making sure that proper process is followed in the manner in which this site is developed. We support the development of housing but we say to the Government that when it uses the process of unsolicited proposals, it must do it in an absolutely transparent manner. If it were absolutely committed to proper process, it would have no problem with producing the papers that are the subject of this motion. The Government would be almost willing to do that to ensure that this process is being properly conducted. The Leader of the Government wants to give us a lecture on the delivery of housing. We support the delivery of housing but ask the Government to just do it right and make sure that the process is beyond reproach.

The Hon. CHRIS RATH (20:13): When this imaginative proposal was first announced, I was in awe. A brand-new housing site on a metro line in Western Sydney seemed great; it seemed almost too good to be true. I thought what a great idea it was; what a fantastic idea. Then the wheels started to fall off the entire proposal. It was not so much an unsolicited proposal; it was more a solicited unsolicited proposal where the Government came up with the idea, went to the turf club and said, "This is a great idea; why not put it forward?" It almost defeats the purpose of what an unsolicited proposal is if the Government has to solicit it. That is why we need the openness and transparency that we are calling for by putting forward this call for papers tonight.

It seems like there has been a lot of talk in the media about how great this proposal is, but very little detail. There seems to be a lot of infighting in the turf club. We do not know where it is up to. Whilst it is a great idea in principle, a little bit more detail and transparency would be a good idea. We want to see where it is up to, how it is all going to fit in, what the costings are, and what modelling has been done by Treasury. We all want more housing supply. I am the self-professed most yimby member of the New South Wales Parliament. I wear it as a badge of honour. As I said, having more housing supply in Western Sydney, especially along a metro line with a brand-new metro station, is a great idea in principle. But the Government has not done its homework. There is a complete lack of transparency.

We need more information. The wheels are falling off. The turf club has a lot of infighting. With more detail the Government can bring people along on the journey with it. It is not like this side of the House is opposed to more housing supply. We want more housing supply, but we also need more detail when it comes to some of these proposals. There is not a lot of detail out there and a little bit more transparency from the Government would be good to ensure that this actually was an unsolicited proposal, and as I said, not a solicited unsolicited proposal. We eagerly await the documents. We hope the motion will pass tonight and I am sure that with a little bit more homework, we can get on board with more housing supply in New South Wales.

The Hon. JACQUI MUNRO (20:16): We should absolutely have more housing in New South Wales. There is no doubt about that in my mind. We need to find useful, reasonable and realistic ways to get there. The reason I so strongly support the motion by the Hon. Scott Farlow to shed some more light on what has been a very confusing process is that I had the privilege of sitting on a number of budget estimates committees that dealt with this proposal. I was a member of the budget estimates committee for the hearings relating to the portfolios of Racing, Planning and Transport. I seemed to get slightly different information every time this matter came up. That is why we need the transparency that the motion calls for: because we do not really know how this proposal came to be. It is important because the Government needs to provide information clearly and succinctly to the people of New South Wales about the way it is making decisions.

There were some things that Minister Harris spoke about. He said Ministers in the Government need to be very careful interfering with the rights and views of memberships of independent organisations. That was a very interesting comment in light of the current stoush and the planned coups in the Australian Turf Club [ATC]. Gai Waterhouse has been very vocal about this. He also said, "What I had done is make sure that any of my decision-making or interactions I had couldn't be called into question. I just formed that personal view that it wasn't appropriate for me to be engaging on it"—that is, the proposal—"whilst there was another process under way." It was very unclear what processes were running in tandem behind the scenes and out in the open. We saw the staged photograph with a number of people in it who had no idea about the proposal. The transport Minister, Jo Haylen, said that she had not seen the Rosehill racecourse memorandum of understanding.

The Metro West delivery was questioned. I asked a question about that. I was not a member of the budget estimates hearing committee relating to the Treasurer, but I hope someone asked him the questions. As the Hon. Chris Rath said, we do not really know where this proposal came from, and that is important. We need to know whose interests are being represented in these Government decisions, because they will have massive impacts on locals, membership organisations, obviously the ATC and the people of New South Wales, who deserve to understand what is actually possible. Instead of promising 25,000 new homes and not being able to

deliver them, we need a government that is honest, open and up-front about what is actually possible, rather than one living in a dream world and making announcements without any evidence to back them up.

The Hon. SCOTT FARLOW (20:19): In reply: I thank all members who contributed to the debate: the Hon. Penny Sharpe, the Hon. Damien Tudehope, the Hon. Chris Rath and the Hon. Jacqui Munro. Members of this House have heard all that is necessary on this proposal from the Leader of the Government, who is, of course, a cheerleader for the proposal, and that is great. It is great that she is up-front about that. It is great that the Government is up-front about that. But, if those opposite are going to be so up-front about it and such cheerleaders, they should have taken some of the other options.

Instead of the unsolicited proposal approach, about which the bureaucrats advised there could be a probity risk, they could have taken other options that were available to them. They could have taken the direct deal joint venture option; they could have taken the direct deal, either procurement or government-led, option as was advised; or they could have taken the compulsory acquisition option. Instead, they decided to dress this up as an unsolicited proposal. That, of course, raises questions. This needs to be assessed against the unsolicited proposal process. That raises the interest of this House in terms of where this came from, how the idea originated, how it has been proposed and what the Government's involvement is.

We know that, with unsolicited proposals, that involvement needs to be at arm's length. Serious questions are raised as to whether this is an arms-length proposal from the Government. We have heard from members in the Chamber about the budget estimates process and the confusion of Ministers around the proposal, how it originated and why they were at a press conference at Rosehill: It just seemed like a good place to make an announcement about planning. Thankfully, at what I think was the only budget estimates hearing where Ms Munro was not present, the Treasurer laid upon the table a memorandum of understanding which was supposed to expire on 31 March this year.

When it comes to this proposal, there are a lot of questions. More questions have been raised from the original Standing Order 52 motion. This is a simple Standing Order 52 motion looking to get effectively one document, and that is the proposal that has been submitted as part of the unsolicited proposal process. No doubt that proposal would be privileged, but for members of the Select Committee on the Proposal to Develop Rosehill Racecourse it would be very valuable in terms of forming their opinions on the proposal and being able to ask questions as hearings proceed. The committee had its first meeting today to look at the upcoming schedule of the inquiry, which will be rolling out soon. Submissions will open soon and, from memory, close on 14 July—so, as a cheap advert, get your submissions in! Every member of the House needs to know this information to be able to participate in the inquiry. It is for the benefit of the House to have the information and it is for the benefit of the Government to let the sunshine in and to open it up for the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I think the date was 18 July.

The Hon. SCOTT FARLOW: Thank you for that correction.

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

Motion agreed to.

Motions

KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT

The Hon. BOB NANVA (20:23): I move:

- (1) That this House notes:
 - (a) that Wednesday 5 June 2024 is World Environment Day;
 - (b) the importance of protecting endangered native species in the Kosciuszko National Park;
 - (c) that native species that can't be found anywhere else in the world like the broad-toothed rat and the southern corroboree frog are on the brink of extinction due to the impact of horses on the park; and
 - (d) that last week, the broad-toothed rat was uplisted in New South Wales, showing it is more endangered than previously thought.
- (2) That this House supports the actions of the Government on implementing the New South Wales horse management plan to reduce the number of wild horses in Kosciuszko National Park to the legislated maximum of 3,000.

Fittingly, on World Environment Day, I speak to the preservation of Australia's native fauna in the Kosciuszko National Park. It is worth remembering the original mission of the United Nations General Assembly in designating 5 June as World Environment Day: that governments and organisations "undertake on that day every year worldwide activities reaffirming their concern for the preservation and enhancement of the environment, with a view to deepening environmental awareness". Clearly we have made significant progress since that

declaration was made 52 years ago. However, if key biodiversity indicators are anything to go by—species survival, habitat capacity and the impact of invasive species—there remains a picture of decline in New South Wales. Around half of the more than 1,000 listed threatened species are expected to become extinct within 100 years in New South Wales. That is a picture not of incremental improvement but of slow decline.

That brings me to Kosciuszko National Park, one of the most beautiful natural environments in the world and home to around 32 species of plants and animals that cannot be found anywhere else on earth, many of which are under enormous pressure to survive because governments have not historically used the levers at their disposal to give them their best chance to live. One such species, the broad-toothed rat, was uplisted in New South Wales last week because the ecological impacts of large horse populations at Kosciuszko have made them more endangered than previously thought.

As a member of the Animal Welfare Committee's inquiry into the aerial culling of brumbies, I have listened to and read different perspectives with respect to the management of wild horses at Kosciuszko. I have also witnessed firsthand, from the air and on the ground, the impact that horses have had and are having at that park. Damage to soil, water, vegetation, riverbeds and valleys, as well as the resulting impacts on the habitats of endangered species, are all too apparent and potentially irreversible, particularly if horse management plans at Kosciuszko fail to consistently remove horses at the rate required to substantively reduce the population.

That is why the Government's implementation of the New South Wales horse management plan to reduce the number of wild horses to the legislated maximum of 3,000 is so critical. It is a plan which seeks to strike a balance between protecting the ecology of the park and preserving its colonial heritage values by maintaining a wild horse population. Striking that balance is critical not just for the environmental, ecological and cultural reasons that I have mentioned, but out of concern for the welfare of the horses themselves. The former Government's own scientific advisory panel stated:

Inadequately managed wild horse populations with high densities over great areas over a longer period of time are likely to result in a high proportion of horses with poor welfare as their numbers exceed available food and horses are pushed out into woodland areas of the park where food availability is limited.

As well as seeing the degradation of Kosciuszko firsthand, I have also had the benefit of meeting and hearing from many passionate brumby advocates. Many of them are people of good faith, motivated by an affinity for horses, a love for animals more broadly, and a reverence for the status of brumbies in our national consciousness. Their priorities are legitimate and should not be diminished. However, my view differs with respect to the urgency with which we need to act to meet the legislated target of a sustainable horse population, and the manner by which we can ever hope to do so before we can move to maintaining populations through non-lethal means. Importantly, the Government's implementation of the wild horse management plan is not an exercise in eradication. Horses will continue to be a part of the State's heritage and a presence in the park. But it is an exercise in giving other species, like the broad-toothed rat and corroboree frog, much more of a fighting chance.

The Hon. WES FANG (20:27): I lead for the Opposition in debate on the motion and, at the outset, say that it is clearly set to divide people. It is politics writ large by the Government. But I indicate that the Opposition will not oppose the motion, for a number of reasons. The first is that it is actually the Opposition's plan. The wild horse management plan is one that was moved in this House by what is now the Opposition. We on this side of the House support the idea of brumbies remaining in the park and the 3,000 number put in the legislation was one that we nominated. We are more than happy to support the motion. The motion gives me the opportunity to talk about the way in which that management is occurring. When members of this House were debating that legislation, the current Leader of the Government said, "We will not introduce aerial culling." That is recorded in *Hansard*.

Members can say what they want about the motion, but the mover of the motion, the Hon. Bob Nanva, was not a member of the House when the Hon. Penny Sharpe said that Labor would not introduce aerial culling. And yet the first thing she did as Minister was introduce aerial culling. That is a stain on her as a Minister and on her management because she lied to and misled this House about how she would manage those brumbies, and her comment was recorded in *Hansard*. The Opposition will support the motion but every day that the Minister talks about reducing brumby numbers to the legislated target, I will remind her that she is not doing so in a humane way. She has shut down rehoming and brought back aerial culling, which she told this House she would not do, to manage these iconic Australian horses. The Labor Party absolutely loves rats. Maybe they should look to protect a few more here.

The Hon. AILEEN MacDONALD (20:31): Today is World Environment Day, which encourages awareness and action for the protection of the environment. It is supported by many governments, non-government organisations and businesses. It is a platform to raise awareness on environmental issues like marine pollution, overpopulation, global warming, sustainable development and wildlife crime. It is only right that we join more than 143 other countries to advocate for environmental issues. The issues are global, but we have our own unique set of environmental problems here in New South Wales, including the importance of protecting endangered

native species in Kosciuszko National Park. I call the attention of the House to the native species that cannot be found anywhere else in the world, like the broad-toothed rat and the southern corroboree frog, which are on the brink of extinction due to the impact of horses on the park.

The Hon. Penny Sharpe: And the Guthega skink.

The Hon. AILEEN MacDONALD: And one of those too. It is important to note that just last week the broad-toothed rat was uplisted in New South Wales, showing it is more endangered than previously thought. The problems in the park are largely caused by the high number of brumbies. I support the New South Wales horse management plan that was brought in by the former Coalition Government in 2021 to reduce the wild horse population to 3,000 by 2027. A media release from the shadow environment Minister states:

The NSW Liberals will provide cautious support for the Minns Government's decision to allow aerial shooting as an additional option for the control of wild horses in the Kosciuszko National Park.

She further went on to say:

Overwhelmingly, the expert advice has said to meet that target aerial shooting is required alongside existing methods such as trapping and rehoming, and ground shooting.

Unfortunately, reproductive control is not viable for the wild horse population in its current numbers and distribution in the park.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Wes Fang is close to being called to order.

The Hon. AILEEN MacDONALD: Recently I visited the park and saw the damage caused by the horses. It was immediately obvious. The rivers and creeks have significant damage where the horses cross. Without getting too technical, brumbies compete with native animals for natural resources. They clearly contribute to habitat destruction, and degradation of vegetation and soil stability. They continue to threaten the fragile ecosystems of the alpine regions. I saw plenty of brumbies, but I did not see any native species. That is not to say that they are not there, but they are probably nocturnal and they are nowhere near as abundant as they should be. If I were a herbivore I would say it is slim pickings for anything green on the long paddocks.

The Hon. Wes Fang: Who wrote this?

The Hon. AILEEN MacDONALD: I did. Plants and bushes were few and far between because they had been munched away. [*Time expired.*]

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Wes Fang will be called to order if he continues to interrupt.

Ms SUE HIGGINSON (20:34): On behalf of The Greens I recognise the critical importance of environmental protection and regeneration works, especially within the protected area network. When the Kosciuszko Wild Horse Heritage Act was passed in 2018—a brainchild of the former National Party Deputy Premier—it was roundly condemned by the International Union for Conservation of Nature, the Australian Academy of Science, the Australian Capital Territory Government, the Royal Society for the Prevention of Cruelty to Animals, and members of the New South Wales Government's expert technical committee. In his resignation letter from the Government's Threatened Species Scientific Committee, Professor of Ecology David Watson said:

Science is not a special interest group. Scientists don't lobby for favours, nor profit from political decisions. We are ambassadors for knowledge, the conscience of the natural world. The wilful disregard that you and your government colleagues have for science diminishes our collective future, relegating our precious national parks and priceless environment to a political play thing.

That is what has allowed what is occurring in Kosciuszko National Park. Thanks to the New South Wales Nationals and an apathetic Liberal Party, one of the greatest natural treasures in this State has been abused by an anti-science special interest group. It has diminished us all and had catastrophic consequences for threatened and unique alpine species like the broad-toothed rat. The rapid reduction in horse numbers in Kosciuszko National Park since aerial shooting recommenced is incredibly sad for me, as a person who loves horses and lives alongside them, including rehomed horses from our national park. Of the 8,505 horses removed since November 2021, 65 per cent have been removed in the past seven months.

The retention of invasive horses in one-third of Kosciuszko is deeply problematic. It locks in damage to the Byadbo and Pilot wilderness areas in the south and creates an ongoing horse population within and adjacent to the Jagungal Wilderness Area. Wetlands such as the vast Currango peat wetlands in the north and critical habitat of threatened species such as the northern corroboree frog, stocky galaxias and the lovable broad-toothed mouse will suffer as the damaging impacts of hard hooves are locked in for the plan's duration and while ever the Kosciuszko Wild Horse Heritage Act is in place. I support the motion of the Government and commend it for

finally trying to do the right thing by our natural environment, by the cultural heritage of the area and by all of us who feel a deep connection to the living planet.

Ms ABIGAIL BOYD (20:37): When I joined The Greens over a decade ago I had one pressing concern on my mind: climate. I could no longer sit back and watch as the major parties squabbled over how slowly they would act on catastrophic climate change. I joined the only political party with principles, integrity and a genuine commitment to change this world for the better and to ensure the planet is liveable for people and animals. The role of The Greens and other Independents that are determined to see meaningful action on climate was recognised today by the Knitting Nannas. We were each given a knitted scarf that contained a graph representing temperature changes in the years 1919 to 2021, showing the alarming warming of our planet at a glance.

Labor continues to repeat the mistakes of Coalition governments of the past, both here and federally, by kowtowing to the fossil fuel lobby and all of the other vested interests that are determined to put their desire for profits above our very existence. The Greens represent the last thing standing between the major parties and the utter annihilation of life on this planet. And so it is that I stand in this place, as a Greens MP and as our spokesperson for animal welfare, unable to support the motion moved by NSW Labor today.

On World Environment Day—of all days—the Labor Government is seeking to pat itself on the back for doing nothing to stop the extinction of the species of this earth. While ripping up forests, approving coal and gas projects, and extending the life of coal-fired power stations—fast-tracking us towards an unliveable planet—Government members are asking us to join them in congratulating their decision to shoot thousands of other animals in the flimsy hope that perhaps just some of that mass shooting will save some species in one tiny part of our State. What a joke! Are we supposed to overlook the other actions the Minns Government is taking that are increasing the chances of species extinction across the State?

The rising concentration of carbon dioxide in the Earth's atmosphere from burning fossil fuels poses a clear and scientifically demonstrated threat to global biodiversity. There is a concept in environmental science called the extinction cost of carbon. It is a way to measure or estimate the impact of carbon emissions on biodiversity loss. It is an imprecise science but, by credible estimates, a reduction of 7.8 megatonnes of carbon is required to prevent the extinction of one species. Labor's shameful and reckless decision to extend the life of the Eraring Power Station by at least a further two years will contribute 40 megatonnes—that is approximately five further species going extinct under Labor's watch. Are we to congratulate it on that too?

Labor is also supporting the continued logging in our precious native forests. This shockingly reckless drive to clear-fell our native forest estate is pushing precious forest-dependent native species like koalas, greater and yellow-bellied gliders, glossy black cockatoos, ancient songbirds, sooty owls, masked owls, powerful owls, quolls and platypuses closer to extinction every day. Native forest logging is driving half of all threatened species in New South Wales towards extinction but the New South Wales Labor Party is asking for a round of applause and our support and a tick of approval—today of all days—on its environmental credentials. I refuse. The Government is not doing enough. In fact, it is doing worse than that: It is making things worse.

The Hon. EMILY SUVAAL (20:41): I speak in support of the motion on World Environment Day. I update the House about some activity that is going on close to home for me in Werakata National Park. The Government is doing good work there. I give a shout-out to the NSW National Parks and Wildlife Service, which has commenced aerial culling of deer. The aerial culling of deer is an important program. If there is one thing I do not want to come across in the dead of night heading home from work, it is a deer on the highway. Aside from that, the impact of feral deer on our biosecurity, on our threatened species and on important local industries like our vineyards in the Hunter cannot be understated.

Another important program is the aerial culling of brumbies in Kosciuszko, a crucial way to protect endangered species in the park. This is in the context of the past track record of the Opposition in terms of what it managed to achieve in the Kosciuszko National Park, which was to introduce the massive high voltage powerlines. It is concerning news that last week the broad-toothed rat was uplisted; it shows that it is more endangered than previously thought. I am deeply concerned at this news. It is great news that the Minister has taken measures to get wild horses under control in Kosciuszko National Park by introducing the culling measures.

I also give a big shout-out to the staff that undertake this shooting. They are skilled individuals as it is an extremely technical thing to do. I commend them for their work, along with all of those workers in Kosciuszko National Park who have been exposed to some horrendous behaviour of late just for going about doing their jobs. I thank them for undertaking that important work in protecting that national park and our endangered species in New South Wales and for continuing to undertake that work at such a difficult time. The House supports the actions of the Government in implementing the wild horse management plan. I look forward to seeing continuing progress in that space. The importance of aerial culling in the State is something that the Minister for Agriculture also knows the merits of very well.

The Hon. Tara Moriarty: Including the feral pigs.

The Hon. EMILY SUVAAL: Including the feral pigs—I acknowledge that interjection. On World Environment Day, I finish by echoing my thanks to our wonderful public sector staff and the work that they do for the environment.

The Hon. SARAH MITCHELL (20:44): I make a brief contribution to the motion, which, as the Hon. Wes Fang indicated, the Opposition will not oppose. I will speak to a couple of the points. The first is the last point of the motion in relation to the horse management plan in Kosciuszko. It was eloquently detailed by my colleague the Hon. Wes Fang in relation to our concern, not about not meeting the targets—as he said, these were part of the plans that were put in place by our Government—but about the significant change in the position of the Labor Party from what it said before the election as to how it would manage these issues and, as he said, not have aerial culling, to now, all of a sudden, seeing that happen. The footage of what happens to some of those horses is concerning. The distressing way in which they are killed is something that everybody should be concerned about. The Hon. Wes Fang is bang on to raise these issues.

Sometimes the National Party unfairly gets called out by people who do not believe that it supports or protects the environment. But I feel, particularly on World Environment Day, that it is important to make the point that farmers—many of whom are Nationals members and supporters—are, I would argue, some of the best environmentalists in the world. On World Environment Day it is important to acknowledge the way farming practices have evolved over the years—the conservation, using science and technology, to make sure that the land is well cared for, well utilised and well protected by our farmers. I give a shout-out to all our farmers, many of whom are also doing incredible work in conservation and are involved in local land care. There are a lot of great things that happen in regional communities when it comes to protecting our environment. As I said, it is important that we acknowledge that today. The last point is about the broad-toothed rat. I did call the mover of the motion the patron saint of the broad-toothed rat.

The Hon. Bob Nanva: I am very proud of that.

The Hon. SARAH MITCHELL: And the name is not from when the Hon. Bob Nanva was in Sussex Street but from now. As we were chatting about before, I think one thing that we should also do—and I am not going to move an amendment—is find a way to make the broad-toothed rat a little more appealing to the broader community. The reason I say that is I note this motion also talks about the corroboree frog. All day I have had this jingle in my head about the corroboree frog, and I could not think of where I knew it. And then I remembered the Wiggles. They have a song about the corroboree frog. I heard it with my children, so that is why I could hear in my head the musical tone of the corroboree frog. Maybe we need the Wiggles to do a song about the broad-toothed rat. It might help it have a glow-up. So if any member of the Field family is watching, they might want to have a go at giving the broad-toothed rat—

The Hon. Wes Fang: Sam was the yellow Wiggle.

The Hon. SARAH MITCHELL: Maybe Sam can do something. But in all seriousness, it is important that we acknowledge World Environment Day. Obviously we do not want to see the extinction of any animals. As I said, the Opposition will not be opposing the motion.

The Hon. EMMA HURST (20:47): I oppose the motion. I find it depressing that the only thing the New South Wales Government wants to talk about for World Environment Day is how proud it is to be mass killing horses. We are in the midst of a climate crisis that threatens our natural environment and the life of every human and animal on this planet for generations to come. For World Environment Day, why are we not talking about the impacts of climate change and the worsening floods and fire seasons affecting the State? Why are we not talking about land clearing and overdevelopment? Why are we not talking about native forest logging?

Why are we not talking about the fact that animal agribusiness is one of the leading causes of climate change and environmental destruction? I will tell you why. Because that requires a government to take on those powerful and wealthy industries that are destroying the environment. It requires a government to bring in strong legislation to outlaw industries destroying the planet for future generations. We are simply not seeing those actions from either of the major parties. Let us be completely honest: It is because it is cheaper to blame animals and it is politically easier, because all it does is upset local communities and animal protection groups who do not have the resources and the power of lobby groups that environmentally harmful industries have.

Blaming horses gives the impression that some action is being taken to protect the environment, while the real threats to our environment continue to be mostly ignored. The motion highlights that the broad-toothed rat has been up-listed to an endangered species, and that is a tragedy. It is just one of far too many animals being put at risk as part of the State's extinction crisis. The real threats to the broad-toothed rat are climate change and fire damage to their habitat. The southern corroboree frog is primarily threatened due to deadly chytrid fungus. Why

are we not talking about that? Can we please take real action in this place to protect these animals instead of playing politics.

This is far too important to get wrong, and the Government's focus and blame on one species is wrong. It is the promotion of animal cruelty simply to avoid doing the real work. Future generations will suffer the consequences of this blatant attempt to avoid real climate action. It is with that in mind that I move the following amendment. I move:

That the question be amended as follows:

- (1) In paragraph (1) (c) omit "due to the impact of the horses on the park".
- (2) Omit paragraph (2) and insert instead:
 - (2) That this House calls on the Government to take real action to protect the environment by ending native forest logging, taking bold climate action and stopping overdevelopment where it is affecting native animals and the environment.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:50): It has been a very interesting debate. It has been good to see the National Party finally stand up for its own plan and support the action that the Government is taking to reduce the number of horses. It was less good to see the Hon. Wes Fang spending the entire time interjecting on one of his Liberal colleagues who was trying to make a speech in support of the plan for which she has done the work and been very supportive. Tonight there has been what I believe is a really big moment in where the New South Wales Greens are at when it comes to dealing with invasive species. The idea that The Greens would not support the reduction of invasive species in our only alpine park is a major departure from where they have been in the past in their so-called care for nature and their support for dealing with invasive species.

This is a massive change tonight. It is profoundly disappointing. I hope that people in the environmental movement and others who have spent their entire lives fighting to protect Kosciuszko National Park and other national parks now know that The Greens are not necessarily up for supporting those efforts. It is also disappointing to see the characterisation of this motion as some sort of congratulations. That is not what this motion is about. It is about recognising that our alpine park is under threat. Twelve native species are on the brink of extinction for a range of reasons. The point is that we are taking it seriously.

Ms Sue Higginson: Point of order—

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Clerk will stop the clock.

Ms Sue Higginson: The Hon. Wes Fang is interjecting across the table and being unparliamentary.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I did not hear the interjections; however, I remind the Hon. Wes Fang that he has been warned that he may be called to order. Should that behaviour continue, he will be.

The Hon. PENNY SHARPE: The Hon. Wes Fang has been pulled kicking and screaming. At least he has got the Coalition together voting the same way, which is not what happened last time we dealt with one of these matters. Again, invasive species are one of the most significant and destructive things in our environment.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I call the Hon. Wes Fang to order for the first time.

The Hon. PENNY SHARPE: Invasive species impact every piece of land and every national park. The fact that The Greens have walked away from dealing with invasive species tonight is extremely disappointing.

The Hon. Wes Fang: You've driven that.

The Hon. PENNY SHARPE: It is also disappointing that the Hon. Wes Fang cannot stop interrupting, as he did to his own member.

The Hon. Wes Fang: That's the pot calling the kettle black.

The Hon. PENNY SHARPE: I'm not scared of you, mate.

The Hon. Wes Fang: I'm not scared of you either.

The Hon. PENNY SHARPE: Well, stop talking.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Clerk will stop the clock. I call the Hon. Wes Fang to order for the second time.

The Hon. PENNY SHARPE: It is World Environment Day. We have one of the most beautiful alpine national parks in this State. It is bigger than Bali. It deserves the precious attention and care and conservation that we give to every single national park. This bloke over here, the Hon. Wes Fang, might think that it is actually—

The Hon. Wes Fang: Point of order—

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Clerk will stop the clock.

The Hon. Wes Fang: When I referred to the Minister I called her the Minister or the Hon. Penny Sharpe. I have a title and I ask the Minister to use it.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): This is an appropriate time to remind members to refer to each other by their correct titles at all times, and that includes the Hon. Wes Fang.

The Hon. PENNY SHARPE: Kosciuszko National Park is finally starting to see some restoration as the result of the very good work of NSW National Parks and Wildlife Service staff, who are dealing with not only horses but also other invasive species. I would have thought that members would be able to support this motion and I really hope that they do.

The Hon. BOB NANVA (20:54): In reply: I thank all members for their contributions this evening. Much has been made of the Minister's approach before and after the election of the Minns Government. It is very important to be mindful of context in this matter. Upon the election of the Minns Government, when this Minister assumed the portfolio, the former Government's own scientific advisory panel noted that past horse management plans had failed to remove horses at the rate required to reduce the population in light of the 17 per cent breeding rate at Kosciuszko National Park. That put the estimated population at around 18,000 horses.

Literature, advice and evidence has consistently shown that, to bring the horse population down to sustainable and suitable levels, broadscale population control is a choice of aerial culling or poison baiting. The Australian Veterinary Association has given evidence to that effect. Countless amounts of literature confirm that. As a result of successive years of failing to meet the legislated target, the hierarchy of what is least to most humane for broadscale population control requires that choice. I think, if the Minister had the choice of nonlethal control measures, that is what she would choose. But it is not the choice available to her.

The Hon. Mark Buttigieg: Point of order: You have made a couple of rulings on the Hon. Wes Fang's constant interjections. He is now flouting your ruling and continues to snipe and interject while the member makes his speech. I ask you to either call him to order or kick him out.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I remind the Hon. Wes Fang that he is on two calls to order.

The Hon. BOB NANVA: I acknowledge that there are still reservations about aerial culling. These concerns are not driven in the main by political opportunism or ill intent, because there is a genuine desire for animal welfare priorities and outcomes. But, where broadscale control measures are required, there are only a number of options available. I suspect the Minister would not choose lethal control measures if there was another available option. In making concluding comments on this motion, it would be remiss of me not to note the many public sector employees in agencies, including the National Parks and Wildlife Service, whose passion and commitment to our environment is inspiring. I record my thanks to them for ensuring that our national parks, including Kosciuszko National Park, remain places of wonder for generations to come.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Bob Nanva has moved a motion, to which the Hon. Emma Hurst has moved an amendment. The question is that the amendment be agreed to.

Amendment negatived.

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

Motion agreed to.

SHARK MESHING PROGRAM

The Hon. EMMA HURST (20:58): I move:

- (1) That this House notes that:
 - (a) shark nets are used at 51 beaches along the New South Wales coastline from 1 September to 30 April every year;
 - (b) shark nets indiscriminately kill marine life, with at least 134 animals found dead in the nets over the 2023-24 season, including five critically endangered grey nurse sharks, four endangered leatherback turtles and an endangered loggerhead turtle;

- (c) data obtained by freedom of information revealed that 90 per cent of marine animals caught in the nets are non-target species, including whales, turtles and dolphins;
 - (d) shark nets provide a false sense of security, as research from the University of Wollongong examined the New South Wales shark net program since 1950 and found that there was no reliable evidence that lethal shark hazard management strategies are effective at protecting human life;
 - (e) there are many other scientifically backed ways to keep beachgoers safe, including beach patrols, drone surveillance and personal shark deterrents;
 - (f) surveys show that many councils and residents no longer support the use of shark nets, noting that in March 2022 a unanimous resolution was passed by Local Government NSW calling on the Government to phase out the use of shark nets;
 - (g) on Wednesday 5 June 2024, the Humane Society International Australia and the Australian Marine Conservation Society are hosting an event in New South Wales Parliament to discuss the future of shark management in New South Wales, with a panel of experts providing insights and answering questions; and
 - (h) the event is being co-hosted by the Hon. Emma Hurst, MLC, the Hon. Jeremy Buckingham, MLC, Ms Cate Faehrmann, MLC, Mr Adam Crouch, MP, member for Terrigal, Dr Marjorie O'Neill, MP, member for Coogee, Alex Greenwich, MP, member for Sydney and Mr Rory Amon, MP, member for Pittwater, reflecting bipartisan support for transitioning away from shark nets.
- (2) That this House calls on the Government to end the shark meshing program and move towards humane and effective alternatives.

I hope that this will be the last time I have to move a motion in this place calling on the New South Wales Government to follow through with its election commitment to end the use of shark nets. Shark nets are ineffective at keeping beachgoers safe, cause indiscriminate harm and death to marine animals, and are not supported by the community. Some 134 animals were found dead in these killer nets during the most recent 2023-24 season, including five critically endangered grey nurse sharks, four endangered leatherback turtles and an endangered loggerhead turtle. The use of shark nets is a disaster for our threatened native marine life. I hope the environment Minister will make a contribution to this debate to voice her concerns about this as well, given that the shark netting program also occurs under the joint management agreement.

We know shark nets provide a false sense of security to beachgoers. Research has found that there is no reliable evidence that lethal shark hazard management strategies are effective at protecting human life. In fact, there is even a risk that the use of nets can attract sharks to our beaches because so many animals become trapped in the nets and, of course, dead and dying animals lure sharks in. Shark nets essentially create a banquet for sharks, bringing them closer to our shores. Shark nets are ineffective, but there are effective alternatives. Key alternatives include increased beach patrols with lifeguards as well as other new technologies such as drone surveillance and personal shark deterrents. There is a simple message: Lifeguards save lives and shark nets kill. We need to trust lifeguards in New South Wales, who do an exemplary job at keeping beachgoers safe.

In fact, lifeguards have been shown to be integral to ensuring that swimmers are not killed in shark attacks. We should be applauding our lifeguards and their work and supporting them to monitor beaches and save human lives, rather than pretending that a dodgy old net that covers a small area of the ocean is doing anything to protect people. Given that there are effective alternatives, given that we know from the research that shark nets do not save lives and given the indiscriminate killing shark nets cause, we cannot allow another season of using shark nets. Local councils and communities want to get rid of nets, as shown by countless surveys and unanimous motions from councils at Local Government NSW conferences. We also know that this issue has bipartisan support within the Parliament.

Earlier this evening, Humane Society International Australia held an event on the future of shark nets, which was co-hosted by me, Ms Cate Faehrmann, Dr Marjorie O'Neill, Mr Adam Crouch, Mr Rory Amon, Mr Alex Greenwich and the Hon. Jeremy Buckingham. This fantastic event highlighted the future of shark mitigation strategies in New South Wales and ways we can keep both humans and animals safe in the water. I thank everyone who attended the event and I thank the organisation for its work in putting the event together.

Last year after the Labor Government made election commitments about shark net use, there were high hopes that we would finally see some good, evidence-based policy around shark management. However, it was announced at the last minute that shark nets would continue to be used. My message to the New South Wales Government is this: Let us not make the same mistake again. We know that the decision to tender and renew shark net contracts happens well before 1 September, which is why I move this motion now. We have the time. We have the research available. We have the support of local councils and the community. We have bipartisan support across the Parliament. It is time to do what is right and end the use of shark nets in New South Wales for good.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (21:03): I contribute to debate on the motion on behalf of the Government. I move:

That the question be amended as follows:

- (1) Insert after paragraph (1) (a):
 - (b) the use of a suite of shark mitigation measures is critical to keeping people safe in the water;
- (2) In paragraph (1) (d) omit at the start "shark nets provide a false sense of security, as".

I understand that these amendments are supported by the mover of the motion. The New South Wales Government is committed to its priority, which is the safety of our swimmers at our most popular beaches. We are also working hard to get the balance right between protecting marine life and protecting human life. We are able to do both of those things at the same time. As I have outlined a number of times in the House, we are doing that by trialling a range of new technologies and a suite of measures as part of a shark management program in New South Wales. SMART drumlines are being used in 19 local government areas year round. We are supporting Surf Life Saving to use drone surveillance at up to 50 beaches at key times to keep an eye out for sharks. There are 51 shark nets in a meshing program between Wollongong and Newcastle, which are in place from 1 September to 30 April each year. Those nets are removed at the end of April because of whale migration.

There are 37 tagged shark listening stations, with at least one station in every coastal local government area for year-round coverage. We also have the SharkSmart app, which I encourage people to download and use. It is fascinating to be able to see where sharks are and get a better understanding of how they move around. We also have increased protection and first aid support for Surfing NSW board rider clubs and surf schools. We will continue to trial that technology, much of which costs around \$20 million per year. We need to make sure that the technology that we invest in is working in the way that people expect it to work. We also want to make sure that we are protecting our marine life generally. That work will continue. I will not guarantee that the nets will not be used again next year. The Government will continue to consider their use.

The Hon. SARAH MITCHELL (21:06): I contribute to debate on the motion on behalf of the Opposition. I say at the outset that we will not be opposing the amendments moved by the Minister. I move:

That the question be amended by omitting paragraph (2) and inserting instead:

- (2) That this House calls on the New South Wales Government to explore more solutions, including advances in technology, to support the possible phasing out of the shark meshing program.

I indicate to the House that our support for the motion is contingent on our amendment passing. I acknowledge the Hon. Emma Hurst for moving the motion. I know that she feels strongly about this issue. It is important to get the balance right. The Minister listed in her contribution a range of different initiatives that are in place to ensure that we have the right shark response capabilities and mitigation methods. I also acknowledge the former Minister, the now Leader of The Nationals, Dugald Saunders. He secured an \$85.6 million investment from the former Government for the 2022-26 shark management program, which included the funding for measures that the Minister spoke about—the extension of the shark mesh nets, SMART drumlines and listening stations. There was also money for rapid response vessels and drone trials.

We understand the concerns raised by the Hon. Emma Hurst about the impact on marine life, but we also need to make sure that the technology used to keep people safe on our beaches is up to scratch. That technology must be able to ensure the safety of people on the beach before we phase out the use of mesh nets. That is why I move the amendment. We need the meshing program until we have the advances in technology and the capabilities. It is important.

People want to feel safe at the beach. My family makes our annual pilgrimage to Byron Bay and it does not have nets, but there are drones and lifesavers, which gives a level of comfort that I did not have as a kid. There have been shark attacks at a location in the area, so it is about getting that balance right. Of course, we do not want to adversely impact marine life but we also need to protect human life. The reality is that sometimes sharks are aggressive and sometimes they attack. We need to make sure that we have the right methodologies in place. That is why we started all this work on the shark management program when we were in government. That was our position in government and it continues to be our position now. We must get the technology right and be confident with it before we phase out meshing programs.

Ms CATE FAEHRMANN (21:09): The Greens support the motion before the House today. Since the party was established, The Greens have a long track record of supporting marine conservation, and we have a long track record of opposing shark nets. I hear the contributions from the Opposition and the Government about getting the balance right. It is extraordinary to think what that balance is. Shark nets were brought in back in the 1930s at a time when technology was not as advanced as it is now, and those shark nets are just the same as they were back in the 1930s. They do not cover the whole beach. Almost 50 per cent of sharks are caught on the inside of the net. There is no balance to get right because shark nets essentially do not work to keep people safe.

The worst thing is that everybody knows that. This Government knows that; the former Government knew that. They are just playing to some populist notion that I do not think even really exists anymore that shark nets keep people safe. It is a response to populist media and potential reactions. However, most surveys increasingly show that people want marine life protected. They understand that the oceans are for all marine life. They also recognise the absurdity of the fact that shark attacks are just so infrequent, compared with so many other risks. So many people realise that this ridiculous shark meshing program just does not work.

"Getting the balance right" are weasel words for making no decision. Thousands of threatened marine life and threatened species have been killed in these nets over decades. This year we have an opportunity to not put those nets back in the water. It is the low-hanging fruit. It is such an easy thing for this Government to do to show that it cares about threatened species. In fact, it would be an amazing thing for the Minister responsible for fisheries to show that she understands that she has carriage of threatened marine species. I urge the Minister to take this simple action. The Greens commend the motion to the House. [*Time expired.*]

The Hon. JACQUI MUNRO (21:12): I have a lot of sympathy for this motion. I appreciate the amendments from the Government and my colleague the Hon. Sarah Mitchell. I come from a party whose "We Believe" statement in New South Wales includes the phrase, "We believe in preserving Australia's natural beauty and environment for future generations." It is one of the reasons that I am part of this party. How could we be conservative if we do not have anything to conserve? Biodiversity is often missed when we talk about the environment. We often get into a debate about climate change, which is obviously extremely important. What we are saving and preserving when we address climate change is the rich, biodiverse environment that is around us and that sustains us. I even mentioned in my inaugural speech that it is a critical part of environmentalism.

For that reason, exploring other technologies to address shark attacks and dangers from sharks is critical. We need to ensure that there is movement and progress with all our policies that are in line with the advances that we make in other technologies. I call out former world pro surfer Sarah Beardmore, whom I met in Byron Bay. She has started the business Dorsal Watch. It is almost like a citizen science project, which was created to ensure that surfers and other beachgoers could identify where sharks were around the country and around the world and put it into an app with photographs, live and updated. It is a strong online community, which has now expanded its technology to include input from lots of different sources, like shark watch. There are incredibly innovative ways that we can manage the interaction between humans and sharks. It is not the kind of interaction that, really, anyone would like in general, unless they are behind a sturdy cage.

The Hon. Sarah Mitchell: I still would not like it.

The Hon. JACQUI MUNRO: We still choose to go to the beach, as Australians. It is such an important part of our culture. We love being in the water, and that is valuable to us, so we need to find ways that allow us to live in the environment safely but also respectfully with the other animals that are around us, and we can move towards doing that in a much more effective way. As I said, technology is part of the solution. Unfortunately, last year Australia had a record number of species added to the national threatened species list. It is a sad indictment on all of us. I am glad that this motion gives us the opportunity to explore better ways to engage and exist with animals.

The Hon. SAM FARRAWAY (21:15): I support the contribution of my colleague the Hon. Sarah Mitchell and the critical amendment moved by the Opposition to the motion. The former Government and the former Minister knew what we need to do in this space: explore all the technology options and essentially phase out the mesh netting and go to whatever form of technology best suits our communities and keeps them safe. The contribution from The Greens is as expected. They live in la-la land, to be frank. At the end of the day, communities need certainty. They have to feel safe. The real question to the Government and the Minister is whether they can walk and chew gum at the same time and come up with a plan to explore how we transition the existing infrastructure around the netting to the new technology, while at the same time keeping communities safe. Yes, we need to find that balance between keeping people safe at beaches and on the coastline across this State and protecting the marine environment at the same time.

At the end of the day, The Greens do not realise because they live in la-la land that whether it is Manly Beach, Forster, Harrington—where I have been to the beach—or Byron Bay, families need certainty if they are going to be using our coastline. That balance needs to be found in time. The former Minister knew this; the former Government knew this. That is why the money was on the table, and we were exploring all options. We have to be able to do both. Literally only half an hour ago in the other place, the member for Myall Lakes talked about some of the success with the SMART drumlines around Myall Lakes. It is accepted by community; the transition is made. I also acknowledge the Hon. Emma Hurst. Her party has a platform to push exactly this type of agenda. At the end of the day, we need to find the balance. The former Government was on the right path. The now Minister needs to find and deliver that balance in government. That will be the real test, long term.

The Hon. RACHEL MERTON (21:18): I speak in support of the motion. I support the comments and amendment put forward by my colleague the Hon. Sarah Mitchell. I start by respecting the passion and the dedication of those who advocate for marine life. I recognise the longstanding commitment and the work of the Hon. Emma Hurst on this important issue. I also inform the House of the history of the shark nets, which an earlier speaker also referenced. Shark nets were first introduced in New South Wales in 1937 and since that period they have been instrumental in safeguarding beachgoers. They are a great success story for our State. Let us consider the historical data. Since the deployment of the nets, fatal shark attacks at protected beaches have been exceedingly rare. The tragic incident at Little Bay in 2022 was the first fatality from a shark attack at a Sydney beach since 1963. That statistic is not just a number but a testament to the effectiveness of shark nets in reducing the risk of shark encounters in heavily frequented areas.

New South Wales boasts a coastline of approximately 34,000 kilometres. The vast majority of that remains unnetted. Nets are deployed strategically across 51 beaches from Newcastle to Wollongong in areas where the concentration of swimmers is highest. The aim is not to create an impenetrable barrier but to deter sharks from establishing territories near those popular beaches. Critics argue that sharks can swim around the nets, rendering them ineffective; however, the presence of the nets serves a dual purpose, acting as a physical and a psychological deterrent. Sharks are less likely to frequent areas where they encounter obstructions. It is essential to recognise the community's reliance on the nets for their sense of security. I support the amendment to the motion calling on the Government to explore more solutions, including advances in technology, to support the possible phasing out of the shark meshing program. But until we have a reliable alternative that offers equal or greater protection, we must continue to support the deployment of shark nets in New South Wales. [*Time expired.*]

The Hon. EMMA HURST (21:21): In reply: I thank Minister Moriarty, the Hon. Sarah Mitchell, Ms Cate Faehrmann, the Hon. Jacqui Munro, the Hon. Sam Faraway and the Hon. Rachel Merton. The argument that we need to make sure that other technology will protect beachgoers has two problems. First of all, it assumes shark nets work. They do not. Research from the University of Wollongong has shown that they do absolutely nothing to protect human life. We know that as a fact. We are talking about a small amount of netting that does not go to the bottom of the ocean. Sharks can swim above it, below it and around it. In fact, very few sharks get caught in the nets. The majority of animals that get caught in those nets are other sea creatures. Of course, those animals caught in the nets attract sharks to the beach. Nets create a false sense of security.

The argument also implies that more research needs to be done to prove that alternatives work. We know that the alternatives protect people. I thank Ms Cate Faehrmann for her contribution. I note her comments regarding the populist notion that we need shark nets. We heard mention tonight of the research from Chris Pepin-Neff, an eminent researcher, showing that the public does not want nets and that the majority of people see them as being there to calm the public. People do not even think that they are there to protect them anymore; they see through that. The community has very clearly moved on.

The Government amendment gives this motion the right balance. I thank it for working with our office on that amendment. It recognises that nets need to go and that we, of course, need to make sure that we protect people. I have faith that the actions going forward will do that. I support that amendment. However, I cannot support the Opposition amendment because it rejects the current research and it rejects where the community is, where the huge majority of people in New South Wales are, where the research community is and where advocates for animal protection are. Continuing to use nets will put human life at risk. We need to move to much better, effective technologies to be able to protect human life and beachgoers. I ask those opposite to stop playing politics on the issue. It really needs to change.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The Hon. Emma Hurst has moved a motion, to which the Hon. Tara Moriarty has moved an amendment and to which the Hon. Sarah Mitchell has also moved an amendment. The question is that the amendment of the Hon. Tara Moriarty be agreed to.

Amendment of the Hon. Tara Moriarty agreed to.

The PRESIDENT: The question now is that the amendment of the Hon. Sarah Mitchell be agreed to.

The House divided.

Ayes9
 Noes20
 Majority.....11

AYES

Carter
 Fang (teller)

Faraway
 MacDonald

Mitchell
 Munro

		AYES	
Farlow	Merton		Rath (teller)
		NOES	
Banasiak	Faehrmann		Murphy (teller)
Borsak	Higginson		Nanva (teller)
Boyd	Hurst		Primrose
Buckingham	Jackson		Ruddick
Buttigieg	Kaine		Sharpe
Cohn	Lawrence		Suvaal
Donnelly	Moriarty		
		PAIRS	
	Maclaren-Jones		D'Adam
	Taylor		Graham
	Tudehope		Houssos
	Ward		Mookhey

Amendment of the Hon. Sarah Mitchell negatived.

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

Motion as amended agreed to.

Bills

BAIL AND OTHER LEGISLATION AMENDMENT (DOMESTIC VIOLENCE) BILL 2024

First Reading

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

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

Statement of public interest tabled.

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

The PRESIDENT: The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

The Hon. ROSE JACKSON: 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

NORMANDY LANDINGS EIGHTIETH ANNIVERSARY

The Hon. RACHEL MERTON (21:33): On behalf of the Hon. Natasha Maclaren-Jones: I move:

- (1) That this House notes that:
 - (a) 2024 marks the eightieth anniversary of the Normandy landings; and
 - (b) on 6 June 1944, Allied forces landed on the beaches of Normandy, France, to liberate Europe from Nazi occupation during the Second World War, known as the D-day landings it was the largest amphibious invasion in history.
- (2) That this House acknowledges:
 - (a) the significant contributions of around 150,000 Allied troops, including 3,200 Australians who participated in the D-day landings; and
 - (b) Australia's role in the Allied forces, including 500 members of the Royal Australian Navy, 1,000 Australian airmen with Royal Australian Air Force squadrons, 1,800 attached to the Royal Air Force and 10,000 Australians in training and reserve pools.

- (3) That this House honours and remembers the sacrifices of Australian service men and women, including the 13 people who died during Operation Overlord on 6 June and the hundreds more killed during the campaign.
- (4) That this House reaffirms its commitment to honouring the legacy of those who served in the D-day landings and the Battle of Normandy, ensuring their bravery and sacrifice are remembered by future generations.

The eightieth anniversary of the D-day landings is a significant event in our history and serves as a reminder of the bravery and sacrifices made by Australian service men and women and their contributions to the liberation of Europe during the Second World War. This anniversary is possibly also our last opportunity to mark such a significant milestone with veterans of the war. On 6 June 1944 Allied forces landed on the beaches of Normandy, in what would become known as one of the most pivotal moments in modern warfare. The D-day landings were the largest seaborne invasion in history, involving 150,000 soldiers, sailors and airmen from 13 Allied nations.

Australia played a vital role in this operation, with approximately 3,200 Australian soldiers participating in the landings. The Royal Australian Navy had 500 members involved, along with 1,000 airmen from the Royal Australian Air Force and an additional 1,800 attached to the Royal Air Force. This level of involvement is a testament to Australia's commitment to standing alongside our allies in times of need. We must never forget the sacrifices made by these men and women during this campaign in the cause of freedom. Thirteen Australians lost their lives on 6 June alone, and hundreds more throughout the course of Operation Overlord. We must ensure that their courage and sacrifice are never forgotten and that their contributions to the liberation of Europe are always acknowledged. It is also important we continue to recognise the ongoing impact of these events on our society.

The D-day landings played a significant role in shaping the world as we know it. The sacrifices made by those involved have had lasting effects on our nation. It is our responsibility to preserve this history and pass it on to future generations. Peace is a fragile achievement that demands continual vigilance. The D-day landings remind us of the critical need to resist tyranny and oppression. Soldiers from different backgrounds and nations set aside their differences to work towards a common goal. This unity is a powerful reminder of what can be achieved when we come together in pursuit of a just cause. Many soldiers were just ordinary citizens called upon to perform extraordinary acts of bravery. Their stories of courage under fire, camaraderie amidst chaos and sacrifice for a greater good are deeply moving and inspire a sense of pride and gratitude. This includes Laurie Woods, AM, DFC, LdH, an Australian Bomber Command veteran who played a significant role in the D-day operations. He recounted the intense experience, saying:

We would have anything up to 500 heavy guns firing away at us ... And when I say heavy guns, they were using the heaviest shells to get to the height where we were ... They were the type of shells that were used for battleship-to-battleship fighting, so it wasn't a picnic.

On 9 November 1944, during his final mission in the K2 "Killer", Laurie's pilot, Ted Owen, was hit in the face by flak shrapnel. With minimal pilot training himself, Laurie managed to fly the aircraft back to the United Kingdom. As they approached Manston for landing, Ted Owen regained consciousness and demanded to take back control. With the aid of Laurie and flight engineer Peter Odell, they successfully landed the aircraft. They were awarded the Distinguished Flying Cross for their bravery. Returning to Australia after the war, Laurie dedicated 75 years with unwavering passion to advocating for proper recognition for Bomber Command and its servicemen, until his passing on 22 March 2021 at the age of 98. The spirit of unity and determination shown by our Australian service men and women during this campaign continues to inspire us today, making it a significant event in our history that deserves our utmost respect and recognition. Their legacy lives as we work to uphold the principles of freedom, courage and unity. I commend the motion 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) (21:39): On behalf of the Government I speak in support of the motion. Australians have always taken seriously their responsibility when it comes to the fight against oppression around the globe. Our involvement in the Normandy landings stands as a strong testament to that. Despite the fact that by 1944 the Australian war effort was heavily focused in the Pacific, in places like Papua New Guinea, Bougainville and New Britain, Australian forces played an instrumental role in the Normandy landings. Their mission was to support the British, Canadian and United States forces manning the landing vessels, and to provide direct support to the Allied ground forces by attacking German military units and their supply lines.

Due to the lack of some records, it is difficult to determine the exact number of Australian personnel involved. However, the overall Australian military contribution to the Battle of Normandy is thought to have involved around 3,000 Australian personnel, including 2,500 Royal Australian Air Force airmen in Australian squadrons with the British Royal Air Force units, and approximately 500 members of the Royal Australian Navy serving on Royal Navy vessels, as well as a small number of Australian Army officers. In the lead-up to the landings, Australian airmen were involved in Allied efforts to delay German reinforcements from reaching

Normandy. They were tasked with slowing German troops moving to reinforce Normandy by destroying roads and other critical infrastructure.

On the night of 5 June 1944, Bomber Command laid the groundwork for the invasion, attacking German coastal artillery batteries in an attempt to weaken their defences. All four Australian heavy bomber squadrons that were part of Bomber Command took part in the operation. When the sun rose on the morning of 6 June 1944, Allied forces began what would become the largest amphibious landing ever attempted. To support them in their mission, Australian airmen, trained by the Empire Air Training Scheme, were tasked with supporting their efforts. Australian aircrew supported the fighting as part of the 36 Allied squadrons that provided low-altitude air defence for the invasion fleet and landing force.

Overall, Bomber Command made 16 raids against railway facilities in France throughout June, of which six included at least one Royal Australian Air Force squadron. The Australian War Memorial has estimated that hundreds of Australian personnel lost their lives supporting the Allied forces. In terms of total casualties, June 1944 was the worst month in the history of the Royal Australian Air Force. I detail all of this because Australia's role as part of the Allied invasion of Normandy is largely misunderstood as small in the context of the larger operation. Nothing could be further from the truth. We will remember them. Lest we forget.

The Hon. CHRIS RATH (21:42): The birth of our nation is hotly contested. Most mainstream scholarship would suggest that Gallipoli, through its suffering and first real evidence of Australian-owned military action on the global stage, was our formative moment. However, a former Prime Minister from the other side of the House, Paul Keating, saw Kokoda from World War II as our truly triumphant moment as a nation. Certainly for our own defence interests Kokoda was monumentally significant, but if we think about the campaign that held the most significance to the Western world, we can look no further than D-day. Only a few Australian Army officers attached to British units landed on D-day. Even so, for many who landed it was their finest moment. Major Jo Gullett, who later served in Federal Parliament and was a major on the day in the leadership group of an infantry company in the 7th Battalion, called the landing "easily the most impressive occasion of my life".

Indeed, the death toll for Australians in western Europe and Britain was higher than that in the Pacific during this period, which goes to show just how significant this campaign was for Australians, even if not as close to home. The sentiment of Jo Gullett was the sentiment expressed by those who survived to relay their pride back to their nation in being involved in the operation that began the liberation of Europe from the vice grip of fascist tyranny. Today, their stories are still relevant, and it is right to remember them for centuries to come. Indeed, we continue to live quite literally at the grace of the greatest generation, and the silent generation. As recently as 2011, squadron pilot Flight Lieutenant Henry Lacy Smith was interred at Ranville War Cemetery, dying in 1944 supporting the ground invasion. It is rare for wars to be morally clean-cut, yet this one certainly was. As G. K. Chesterton posited:

The true soldier fights not because he hates what is in front of him, but because he loves what is behind him.

It is important that we recognise not only the sacrifice of hundreds of Australians in and following D-day but also the important role New South Welshmen played, and will continue to play, in fighting for what is right on an international level, for the rights of those under oppressive regimes and against tyranny wherever it may arise.

The Hon. WES FANG (21:45): I add my support to the motion. I do so with a sense of contemplation, because whenever these motions come before the House, inevitably I think about my time in the army and what it would have been like to have landed on that beach on that day. It is the same thought I have on Anzac Day when I think about those young Australians and New Zealanders who before the sun had risen were preparing to land on a beach in a foreign land with a well-prepared enemy, not knowing whether they would survive to see the sunset. I think about those young men who were preparing to land on that day in Europe. Probably many of them had never stepped foot in Europe before and before the end of the day for many of them it would be the last steps they took.

When people join to serve in the military, I am sure they do not prepare for something like that—when the ships are approaching the shore. We can only imagine that the thoughts of those young men on the boats about to storm the beach would have been of home, of their loved ones and of the job that they were about to do. I think that it would have been incredibly tough, but they would have been incredibly brave and without the success of D-day and our victory in World War II the world that we know today could be incredibly different. These sorts of motions are so important because these anniversary days are a time to reflect on just how much of a sacrifice young men and women made in world wars so that we could have the life that we live now. On this eightieth anniversary, and hopefully when we have a centenary and beyond that, people will continue to reflect, not only on the success but also on the young men who gave their lives landing on the beach on that day.

The Hon. RACHEL MERTON (21:48): In reply: On behalf of the Hon. Natasha Maclaren-Jones: I thank all members for their contributions to this important debate. I thank them for sharing their perspectives. I thank

the Hon. Rose Jackson for recognising the 3,000 Australian personnel and the significance of that contribution. I also thank the Hon. Chris Rath for his contribution highlighting the significance of the campaign and the importance of and the pride in the outcome and liberation in which we participated. I thank the Hon. Wes Fang for sharing his personal experiences of the army, relating those to the experiences we envisage young men face in war and reminding us of the sacrifices of those young men. I note that the Hon. Natasha Maclaren-Jones would have loved to have moved this motion. She is attending a family funeral and we send her our best wishes.

When we think of D-day, Australians think of courage, bravery and sacrifice, but it is often in the context of those brave American, Canadian and British troops that landed across five beaches rather than the 3,200 Australians who also took part in the landings. This motion helps us to recognise that. It is only right that we recognise their contribution to a day, 6 June 1944, which will forever be one of the milestones of the civilised world fighting against the evils of tyranny and oppression. The World War II generation—the greatest generation—is sadly passing on and we will only have their memories and history to ensure that we remember days like D-day. Tomorrow, on 6 June, may we pause to remember those who valiantly threw themselves against Hitler's war machine at Normandy so that, collectively, we and the people of Europe may have freedom. We will remember them. Lest we forget.

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

Motion agreed to.

EMISSIONS REDUCTIONS TARGETS

Ms SUE HIGGINSON (21:51): I seek leave to amend private members' business item No. 1087 for today of which I have given notice by omitting all words in paragraph (2) after "from all sectors".

Leave granted.

Ms SUE HIGGINSON: Accordingly I move:

- (1) That this House notes that:
 - (a) New South Wales is currently off track to meet required emissions reductions for both 2030 and 2035;
 - (b) the reductions program is currently tracking the land use and forestry sector as missing 2030 and 2035 targets by between 2.1 and 2.6 million tonnes of carbon dioxide equivalent emissions;
 - (c) native forest logging in New South Wales is responsible for an estimated 3.6 million tonnes of carbon dioxide emissions; and
 - (d) the difference in the planned and actual emissions reductions could be recovered through changes in native forest management across the public estate.
- (2) That this House calls on the Government to urgently reduce unnecessary emissions from all sectors.

Climate change is an existential threat that requires a full mobilisation of all available resources and that is already demanding a significant diversion of resources and money to mitigate. The crisis will become worse and earlier mitigation—mitigation right now—is a sensible investment, and also the only way we can avoid irretrievable disaster.

In April of this year, the New South Wales Government published an update on our emissions reductions targets. It was grim. The Minister has admitted that there is far more that can and must be done. The update showed that the State is expected to deliver as little as 44 per cent in emissions reduction on 2005 levels in 2030, and 65 per cent by 2035. That is a full 6 per cent and 5 per cent short of what the Government has legislated as targets, and it is important to remember that the minimum targets of 50 per cent in 2030 and 70 per cent in 2035 were described by the Government as "a floor, not a ceiling". It is also critical to note that the legislated targets are not good. They simply do not reflect the urgency of the situation that we are in and, according to the Government's own data, will lead to a likely warming scenario of between 2.5 to three degrees Celsius. These conditions are known to the department as Shared Socioeconomic Pathway 2-4.5, a middle-of-the-road scenario as described by the Government.

To discover that we—a wealthy, well-resourced, educated and democratic State—cannot mobilise to meet even the Paris targets is a disgrace. It demonstrates that conservative and profit-motivated responses to the climate crisis are not adequate. When considering that we are off track from the very low and unambitious emissions reductions targets that we have set ourselves, we are entering what the Government has defined as Shared Socioeconomic Pathway 3-7.0. That pathway would be consistent with a global average temperature increase of four degrees Celsius or more. This level of warming is beyond catastrophic. This terrifying future and our failing emissions reductions targets are laid out in quite complex detail through the NSW Emissions Dashboard. The most significant part of this dashboard, for the purposes of this motion, is the land use, land and forestry sector.

That sector is responsible for the heaviest of lifting when it comes to drawing carbon down from the atmosphere and into things such as native vegetation and soil carbon.

The dashboard itself and the calculations behind it are not infallible. I cannot say with absolute surety—and neither can the Government or Ministers—that the numbers are accurate. But the trends and how we are tracking between the expected emissions and actual emissions are enough of an indication that the land use sector can and must do more. The land use sector does not see significant drawdown changes between the business as usual projections and the expected reductions until 2027. To put it another way, the sector that has the greatest capacity to mitigate climate impacts does not diverge significantly from the business as usual case until three years from now. The long-term projections paint a worse picture of the reality that is being created by ongoing land clearing and native forest logging.

For 2030 and 2035, years with legislated emissions reductions targets, the land use sector is projected to underperform by 2.1 and 2.6 million tonnes of carbon dioxide equivalent emissions. This underperformance accounts for somewhere between 2 per cent and 3 per cent of annual emissions in each of those years, or half of the projected shortfall that the Government published in April. In the simplest terms, land use change—land clearing, native forest logging and loss of soil carbon—could make up half of the difference between where we are and where we are lawfully required to be, ignoring for a moment that our targets are inadequate and could lead to the end of times. It is at this point that the proverbial rubber must meet the road. Dr Jen Sanger, forest ecologist, has calculated that native forest logging in New South Wales contributes approximately 3.6 million tonnes of carbon dioxide emissions every year—72 million tonnes between now and 2050, after taking into account diminishing total carbon. We should end native forest logging. [*Time expired.*]

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:56): I thank Ms Sue Higginson for bringing this motion to the House and indicate that the Government will be able to support the amended motion. The Government is pretty up-front about what is going on with emissions reductions targets. It has been on the front foot since being elected to try to address it. With the help of this Parliament, gratefully received, it passed the climate change bill late last year, which legislates the emissions reductions targets. We must meet those targets.

The Government has done the work in relation to modelling. The modelling under the previous Government was based on all of the programs in place working, and working perfectly. It was a bit like a fantasy graph. It was a good attempt—it was the start of the modelling—but the modelling gets better. The modelling we released just a couple of weeks ago is an update to that. It has all of the inputs that we have on all of the information that we have at hand, and it is constantly improving, as it must for us to be held to account to make sure that we meet the emissions reductions targets as we are required to do. The modelling showed that, if everything was perfect—in the world of Matt Kean who liked to talk about everything being perfect, everything being fine—we were going to be able to cut emissions by 56 per cent by 2030. That was working on everything going according to plan. We now know that not to be true.

That is why we released the modelling and why it is so important that we are transparent about it. The modelling shows that we are between 44 per cent and 50 per cent, currently on track. That is why the Government is committed to doubling down. It is why we are accelerating decarbonisation of our energy grid. It is why we are looking at issues like land clearing. It is why we are looking at the way in which forests can be used to sequester carbon. We are looking at all of those issues because that is what we have to do. The commitment we have is not just to the people of this place now. It is for the future. It is about our kids and our grandkids. It is about the future of farming. It is about the future of our ecosystems. It is about the need for us to take action.

Some members on the other side of the House either do not know what they think or think that we can do nothing. Members on this side of the House, however, are absolutely committed. This motion is an important reminder for us to meet our emissions targets. It also makes the point that land use plays an important role in emissions reductions. I am reminded that Australia only met its Kyoto targets—remember those, back in the day—because Peter Beattie and Bob Carr stopped runaway land clearing at the time. That is how we met those original Kyoto targets. The way in which we use land is incredibly important. I acknowledge the many farmers and landholders who are doing incredible work in this space. There is much to learn from them. We must work closely with them because they have many terrific solutions.

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. PENNY SHARPE: I move:

That this House do now adjourn.

ANTISEMITISM

The Hon. DAMIEN TUDEHOPE (22:00): In 167 BC, King Antiochus IV of the Seleucid Empire attempted genocide against the Jewish people by prohibiting their religious practices and forcing them to conform to Greek customs. The heroic resistance, led by the family of Mattathias Maccabees, ensured the survival of the Jewish people despite that savage attempt at suppression. In Christian Europe, shameful episodes of persecution against the Jewish people occurred with regrettable frequency. Some 60 years ago, in 1964, the Catholic Church formally stated that it "deplores and condemns the hatred and persecution of Jews, whether they arose in former times or in our own day". Episodes of persecution of the Jewish people have also taken place frequently in Islamic countries over the centuries. The horrific Shoah, in which the Nazis implemented the "final solution" to attempt to destroy entirely the Jewish people of Europe, was rooted not in religion but in Hitler's perverse racism that characterised the Jewish people as a bacillus:

Innumerable sicknesses have their origin in one bacillus: the Jew! We will get well when we eliminate the Jew.

Hitler was enthusiastically supported by the Grand Mufti of Jerusalem, Hajj Amin al-Husseini, and in a 1941 meeting with him they looked forward to "the destruction of the Jewish element residing in the Arab sphere". This strain of vicious, genocidal Islamist antisemitism is reflected in the Hamas charter. It was given free rein in the horrific murders, rapes, tortures and kidnapping carried out by Hamas terrorists in Israel on 7 October 2023. It is reflected in the pro-Hamas cry of "From the river to the sea" that is distressingly being heard weekly on our streets. That hateful slogan calls for the utter destruction of the State of Israel.

The People's Republic of China is also actively engaged in the vicious persecution of religious believers and minorities, including a small Jewish minority in the city of Kaifeng, Henan Province. The Jews of Kaifeng have their origins from Persian Jews who arrived in China as early as the eleventh and twelfth centuries. The Kaifeng Synagogue was built in 1163. Since 1966 the Chinese Communist Party has forbidden the Kaifeng Jews from registering as Jewish descendants and forced them to register as Han Chinese. Under the Law of Return, any Jew can emigrate to Israel and become a citizen.

The whole basis of the Zionism that led to the foundation of the State of Israel was the need for the Jewish people, scattered throughout the world and always at risk of persecution, to have a homeland of their own. Some of the Jews from Kaifeng have found a safe refuge from persecution in Israel. They include 24-year-old Abigail Windberg, who is now serving as an artillery officer in the Israel-Hamas war, helping to defend her new homeland. Antisemitism in all its forms should be unreservedly rejected, and the right of the State of Israel to defend its people against terrorist organisations should be upheld.

BAYSIDE COMMUNITY RECREATION CLUB

The Hon. MARK BANASIAK (22:04): The Bayside Community Recreation Club is an amateur fishing club located on Muddy Creek that was formed by a group of blue-collar, working-class citizens nearly 70 years ago. Over the decades the club has made significant capital improvements to the site off the back of volunteer labour and generous community funding. They include facilities such as a two-storey clubhouse, a small boatshed, various wharves, mini slipways, an office and storeroom, workshop areas, and public toilets to service the community. They regularly open their doors to the general public, with family fun days, jumping castles and the like. They actively engage with the community, teaching the kids how to fish and organising many community events over the years from which they often receive no benefit.

The club offers a safe space for a broad demographic of members including people from culturally diverse backgrounds and different age brackets. It is the pinnacle of inclusiveness. For many years the clubhouse was shared with the amateur fishing club, which utilised the ground-floor space and the licensed premises above. Following many legislative changes, red tape and reforms, the licensed premises fell victim to liquidation and the clubhouse was gifted to the local council under the premise that it would be leased out to recoup taxpayer dollars. That clearly did not suit the council, as the building lay dormant for years and was subsequently deemed uninhabitable due to mould and mildew. It was then demolished. Who picked up the council's tab for that demolition? It was the New South Wales taxpayers, of course.

The club has been well regarded over the years for its commitment to protecting the waterways and environment of Muddy Creek. We often see members walking the banks of Muddy Creek removing masses of rubbish from the river and foreshore that have washed in from the council stormwater drains. Most of that rubbish belongs to Bayside City Council and comes from an adjacent development that the developer saw fit to push into the creek instead of disposing of properly. The council now wants to punish the community club rather than the developer. In recent months Bayside City Council has given the club its marching orders and instructed it to vacate the site and provide exclusive use to Marine Rescue NSW, which presently shares the site with the club. For a club that has been developed over many decades, it was given mere weeks, not months, to pack up—not everything, but whatever is not bolted down—and get out.

The council wants to recoup the benefit of someone else's time and investment when it flogs off the site to its developer mates. There is a considerably dark, looming cloud over who owns the land on which council has loaded its eviction cannon and lit the fuse. How can it evict someone when it does not own all the land? When I raised the issue with Minister Kamper, he said that he was working on a sublease with Marine Rescue that would allow the club to remain. However, communication between the Recreational Fishing Alliance and Marine Rescue has not confirmed any such discussion. In fact, Marine Rescue denied any sublease negotiations and said that normally it would not support such a proposal. The council alleges that Minister Haylen wrote in support of it kicking out the club and adding additional trailer parking spaces to a separate ramp some 5.5 kilometres away on Foreshore Road. However, no-one from council or the Minister's office has produced that letter.

The council also claimed that the Port Authority supports giving up that space on Foreshore Road, which flies in the face of 20 years of rejecting such ideas, arguing that it is a critical site reserved for police and emergency service rescue operations for the port and airport. Foreshore Road is regularly full and closed by 5.30 a.m. and is often plagued with disputes and bitter arguments. The "BS meter" is off the charts. Only the Bayside Community Recreation Club has been able to back up its side of the argument. These community groups are fundamental to the backbone of the communities in which we live. By allowing Bayside City Council to cast the club aside like a soft prawn in favour of a larger organisation, it is not only disgraceful but also un-Australian. If the Labor Party will not stand up and intercede in support of the little guys and the working class that it built its foundations upon, then who will? The Shooters, Fishers and Farmers Party will.

NUCLEAR ENERGY

The Hon. PETER PRIMROSE (22:08): I have spoken previously about the Liberal-Nationals fantasy of powering New South Wales by large nuclear reactors and small modular nuclear reactors, the latter having seemingly fallen off their agenda in the past few months given its failure to become a viable reality anywhere in the world. This fantasy was already dismissed by our big private energy generators, who point to the enormous costs, build time, regulation and the problem of securely transporting and storing high-level nuclear waste for centuries. It has now been 673 days since the Federal Opposition leader committed the Coalition—or is that the Coalition—to go down the path of reactors; it has been 673 days but still no detail.

This fantasy has also now been robustly debunked by our trusted independent national scientific research body, the CSIRO, which has produced its sixth annual GenCost report with the Australian Energy Market Operator. This report delivers an annual update into the real costs of electricity generation and energy storage and looks into the costs and issues associated with different types of power generation. For the first time, the report looked into the costs of large-scale nuclear power. This was included at the request of a large number of submissions from stakeholders, some of whom also appear to have been suffering from the fantasy that a nuclear future was viable. The GenCost report concluded three things about large scale nuclear power.

First, it is far too expensive. From a purely dollars and cents perspective, the evidence shows that large-scale nuclear is not a cost-effective way to reduce emissions compared with other measures such as renewables. The report took as a point of comparison the costs of large-scale nuclear in South Korea and determined that large-scale nuclear was the third least cost-effective option, only superior to black coal. With Australia's high environmental regulatory standards, lack of existing capacity to build nuclear and the lack of a skilled nuclear workforce, the CSIRO indicated that the costs would likely be even higher—for a first of its kind plant in Australia, up to 100 per cent higher. The CSIRO also updated its estimates of the capital costs of small modular nuclear, noting that global inflation has pushed costs up by 57 per cent by one estimate to make it the most expensive way of generating power. The updated modelling found that renewables—solar and wind—remain the lowest cost new-build technology.

Second, the nuclear option is too slow. The report looked into the total development time, including the pre-construction activities from things like negotiating our robust regulation on all government levels and conducting impact studies, to basic work like financing, site selection, design and engineering, sourcing the huge amount of water required for cooling, along with fuel and grid connection. It concluded that these pre-construction tasks would take 11 years, and construction would take at least four to six years at an absolute minimum. The earliest possible deployment would be from 2040—unlike low-cost technologies like solar, wind and solar thermal, which are in place now, and will only decrease in cost over time. It would just take too long to be a viable part of our energy transition.

Third, nuclear is too risky. The report shows that it is too risky from a policy point of view. Having a minimum 15-year development timeline means there needs to be bipartisan support over the long run, which will be hard to come by for a technology that does not make sense financially or to a community that already thinks this proposal is entirely too risky. The CSIRO remained circumspect about spelling out the difficulties and costs of safely transporting and storing high-level nuclear waste and the potential damage to our clean, green image as a food exporter. But the fact remains: Why would any community in New South Wales willingly accept a nuclear

power plant on its doorstep when a safer, cheaper and more environmentally friendly technology is already available to create good local jobs and build a secure, clean future?

STATE TAXES

The Hon. CHRIS RATH (22:13): No raised taxes, plainly and clearly: In February 2023, then shadow Treasurer, the Hon. Daniel Mookhey, pledged that a Labor government would not introduce any new taxes if elected, and would fund its election promises by redirecting existing resources. We have seen enormous redirection already, including the cancellation of the Beaches Link project, obfuscation of the Sydney West Metro and significant cuts in the last budget: a 3.6 per cent real cut to education spending, a 1.8 per cent real cut to police spending and a cut of over 5.5 per cent in real terms to TAFE and Fire and Rescue. What was this redirection for? It would seem for nothing more than meeting excessive union demands for pay rises, including increasing the largest annually recurring portion of our State budget, that being wage expenditure, which is around 45 per cent of the State's budget.

I believe that the Treasurer came to a stark realisation last year that, eventually, it becomes harder and harder to cut—or, in his words, redirect—funding from existing programs and productive projects to release funds to spend elsewhere. Harder still is to justify spending those funds on wages with no matching increase in productivity. That is why the Treasurer already increased the State's tax revenue in the form of coal royalties in last year's budget. Yet the claim was made that this increase did not raise taxes, but rather raised "royalties". He is saying that royalties are not a tax; he has tried to meet his pre-election commitment. It seems absurd to everyone because it is revenue coming in, which, of course, is a form of taxation. Even if this distinction is to be believed, the Treasurer enters this month's budget faced with a choice: to oppose the self-interests of the unions and Labor Party instincts by limiting our State's expenditure growth or to betray the people of New South Wales by increasing taxes, breaking his pre-election promise.

I remind the Treasurer of a line that many have claimed was responsible for killing the re-election prospects of the H.W. Bush administration, "Read my lips: no new taxes." Of course, Bush went on to increase taxes in the second year of his four-year administration—a move which would contribute to his loss at the next election in 1992. Before us today is a government, also in its second year of four, that also promised no new taxes. I warn the New South Wales Labor Government with an overused aphorism in the words of Winston Churchill, "Those that fail to learn from history are doomed to repeat it." I share this warning at a time when the Treasurer appears to have forgotten his firm pre-election commitment. That commitment was also made by the now Premier.

Before March of last year, they were both eager to distance themselves from historical concerns surrounding the Labor Party. They would not lead a big taxing, big spending Labor government. It would be unlike so many Labor governments before them. Yet on 15 May, when asked in question time in this Chamber, the Treasurer refused to confirm his pre-election promise of no new State taxes in this term of government. Not only did he refuse to provide confirmation, but the Treasurer also outright avoided the question entirely. Is there something the Treasurer is worried about? Perhaps it is related to the budget being announced in a matter of weeks. The Treasurer now has a clear opportunity ahead of the budget to reaffirm his pre-election commitment that there will not be any new taxes in the 2024-25 budget.

I am not seeking a "gotcha" moment. I am not waiting for a new tax to appear in the budget books before reminding the Government of its promise. Instead, the Liberals and The Nationals believe that minimising the tax burden on businesses and households in New South Wales is great policy. But sometimes, I say to the Treasurer, it is not about the policy; it is the hypocrisy that will get you. If the Treasurer proves a hypocrite and raises taxes come budget day, the people of New South Wales will know plainly that the promises of this Government are worth less than the paper they are written on. I invite the Treasurer to prove me wrong.

FERAL PIGS

The Hon. ROBERT BORSAK (22:17): At the brumby inquiry on 25 May, Atticus Fleming, the Deputy Secretary of NSW National Parks and Wildlife Service, stated that he thought 77,000 pigs shot by the Local Land Services in the past nine to 12 months under government programs that cost the taxpayer in the vicinity of \$13 million was:

... an extraordinary number of animals causing extraordinary damage to agriculture. That was almost all done by aerial shooting, or the vast majority of it.

If aerial shooting was to stop, you could expect an impact on agriculture that I'm guessing would be in the tens of millions, at a minimum, of dollars every year. It would severely impact the livelihood of many people on the land.

If Mr Fleming thought those numbers were indeed extraordinary he will be rushing into Minister Sharpe's office and demanding a review of recreational hunting in national parks and reserves because the figures released in the latest report from the Australian Pig Doggers and Hunters Association [APDHA] research unit on 3 June are going

to blow the paltry figure of 77,000 animals shot from helicopters out of the sky, literally. That figure is a bad joke. Since January the APDHA has been running a project called the Great Australian Pig Hunt, which will run until 31 December 2024. Corporate partners have provided more than \$40,000 in prizes to encourage hunter participation. To win prizes, hunters must log the number of pigs they catch in a month by midnight New South Wales time on the last day of each month.

The project is a simple number generator designed to encourage hunters across Australia to record the number of pigs they kill each month, whether those pigs are male or female and whether they are of breeding age. Hunters are also asked to record the local government area in which the pigs were killed. In the five months of the program this year, pig hunters in New South Wales have killed 1,002,491 pigs. Not only that, but the estimated value generated—not incurred, like government programs—from direct spending by pig hunting in New South Wales, mostly in the rural economy, was \$73,632,507. The research unit has engaged University of Southern Queensland Professor Ben Allen to work with it to oversee the handling of the data. Unlike government programs, the APDHA research unit is being open and honest. It stated:

At this stage we have completed our first five months, so these results are still subject to proper examination and checking for veracity. We need to make sure participants were only counted once, for example. We also need to hear from Associate Professor Allen but we present them on the basis they are indicative of the likely data with checks to be done independently of the APDHA.

Citizen science programs such as this have emerged as a powerful tool for ecological research, education and conservation. In New South Wales, where feral pig populations pose significant challenges, involving conservation hunters in citizen science programs offers many benefits and must be harnessed for the good of New South Wales. The Australian Pig Doggers and Hunters Association is to be commended for its initiative in this program.

MODERN SLAVERY

The Hon. Dr SARAH KAINE (22:21): Sovereign risk is not something that we have generally had to consider in Australia beyond the occasional political hyperbole. The risk that a government could default on its debt has been far more of an issue for less developed countries. But what about sovereign moral risk? I mean the risk that we as a country—and, more relevantly, as a State—default on our ethical obligations to behave in ways that uphold the values of our advanced social democracy, such as fairness, the dignity of individuals, freedom from physical coercion and, specifically, the staunch resistance to practices that amount to modern slavery. We manifest these values in our acceptance of international standards and mandates but also through the laws we enact to protect our citizens.

I am confident that no member in this place would argue that forced labour or modern slavery is acceptable. We have to accept that, in holding those principles, there is a sovereign moral risk of accepting products that are made with forced labour. There might be some members in the Chamber and people elsewhere who would say that the risk of slavery and the risk of moral default on that particular issue is quite low in New South Wales because we have strong national labour laws that are mostly enforced, we have an Anti-slavery Commissioner and, furthermore, any breaches are undesirable anomalies and by no means systematic. Even if somebody holds this opinion, how do they reconcile the values we profess—as already noted—with our willingness as individuals and as the State of New South Wales to import goods and services that are the product of forced labour? Countries across the world have grappled with that question.

On 24 May this year the European Union endorsed the corporate sustainability due diligence directive, which means that large companies will be held responsible for potential and actual adverse human and labour rights impacts. Likewise, in 2021 the United States enacted a law to ensure that goods made with forced labour in the Xinjiang Uyghur Autonomous region of China do not enter the United States market. One of the explicit aims of the Act stated:

... to lead the international community in ending forced labor practices wherever such practices occur through all means available to the United States Government, including by stopping the importation of any goods made with forced labor ...

It could be argued that restricting trade in any form is not the jurisdiction of a State government and, consequently, as regrettable as issues of forced labour might be, we do not have any power to do anything so let us leave it to the Feds. That is where I disagree. We have \$42 billion worth of power to spend every year. Part of what could and should be done with that economic clout is to avert New South Wales sovereign moral risk. We are already trying to do this through the work of the Anti-slavery Commissioner, but we can also look to develop domestic capabilities in manufacturing. We are not going to be able to do produce everything in Australia, which is why we need to continue to improve and strengthen supply chain monitoring like the United States and European Union.

Where we can develop local industry, we not only improve economic outcomes for local communities—which should be a key goal—but also impose a much greater limit on the moral risk that the goods we buy as a

government are the result of exploitative labour practices. If we do not at least add consideration of how to avoid ethical dangers in the global market, then we have gone beyond risking our moral sovereignty and have instead surrendered it to the power of global corporate interests. Reading the winds of regulatory change sweeping governments with comparable value and legal systems, we may also find ourselves bearing a political risk of operating outside of accepted norms for advanced democracies. New South Wales can do better than that. We already have some tools, but we should creatively consider what else can be done.

VIRGIN AUSTRALIA PILOT EMPLOYMENT CONDITIONS

The Hon. MARK BUTTIGIEG (22:25): Bain Capital is an American private investment firm that manages \$185 billion in assets and bought Virgin Australia in 2020 when the airline was in administration. Bain has suggested that it will publicly float Virgin as soon as this year, but it is not yet confirmed. Last financial year, Virgin earned \$129 million in net profit. The Transport Workers' Union [TWU] is currently negotiating with Virgin and Bain Capital over a new enterprise agreement for pilots. Virgin is proposing to take away six whole days off each year. That is concerning when considering pilot fatigue. The current roster system is not working, with long shifts, little time between shifts and faulty software. It is impacting morale and creating stress and discomfort. Pilots are not happy.

A TWU survey of 180 employees found that over 90 per cent would vote against the current agreement; 88 per cent are not happy with suggestions of worse leave entitlements; 95 per cent said that they do not feel valued by Virgin or the owners of Bain Capital; 85 per cent said that rostering impacted fatigue; 82 per cent said that rostering is impacting their family; 55 per cent said that rostering is impacting their mental health; and 42 per cent said that, if the six days are cut, they would consider leaving work. The impact on the morale of pilots has been significant. One pilot said in *The Guardian*:

Morale is now so low that it's beginning to have very clear and present safety implications. You can't afford to pay us more? You can't afford an accident either.

Another pilot said:

Poor management, poor rostering, no work-life balance, feeling of being undervalued, feeling of being not appreciated for the sacrifices we make for the company and no support when we need it.

These are the people who kept the airline afloat when it went into administration. The TWU national secretary, Michael Kaine, said:

We've seen from Qantas what happens when you treat workers as a cost to be brought down rather than an investment. Workers have been instrumental in delivering strong results for Virgin and must remain the highest priority to ensure Virgin's long-term success.

I put on record that it is in the interests of all Australians and companies like Virgin—despite being owned by Bain Capital, a foreign company—to sit down with the unions and respect our industrial relations culture and work with them to nut out an agreement that does not compromise safety or pilot fatigue so that every worker has a secure future. It is the right thing to do. We do not want a situation in this country where companies mimic the recent experience of Qantas.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:28 until Thursday 6 June 2024 at 10:00.