

LEGISLATIVE COUNCIL

Tuesday 6 August 2024

The PRESIDENT (The Hon. Benjamin Cameron Franklin) took the chair at 12:30.

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

Bills

BAIL AND OTHER LEGISLATION AMENDMENT (DOMESTIC VIOLENCE) BILL 2024
LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AND OTHER LEGISLATION AMENDMENT (KNIFE CRIME) BILL 2024
EMERGENCY SERVICES LEVY AMENDMENT (LAND CLASSIFICATION) BILL 2024
EMERGENCY SERVICES LEVY INSURANCE MONITOR BILL 2024
MUSEUMS OF HISTORY NSW AMENDMENT (CHIEF EXECUTIVE OFFICER) BILL 2024
GOVERNMENT SECTOR EMPLOYMENT AND OTHER LEGISLATION AMENDMENT BILL 2024
APPROPRIATION BILL 2024
APPROPRIATION (PARLIAMENT) BILL 2024
REVENUE LEGISLATION AMENDMENT BILL 2024
COMMUNITY SERVICES SECTOR (PORTABLE LONG SERVICE LEAVE) BILL 2024
ELECTORAL FUNDING AMENDMENT BILL 2024
ENERGY LEGISLATION AMENDMENT (CLEAN ENERGY FUTURE) BILL 2024
NATIONAL PARKS AND HERITAGE LEGISLATION AMENDMENT BILL 2024
WORK HEALTH AND SAFETY AMENDMENT (INDUSTRIAL MANSLAUGHTER) BILL 2024
CATHOLIC CEMETERIES AND CREMATORIA TRUST BILL 2024
ENERGY SECURITY CORPORATION BILL 2024
RESIDENTIAL (LAND LEASE) COMMUNITIES AMENDMENT BILL 2024

Assent

The PRESIDENT: I report receipt of messages from the Governor notifying Her Excellency's assent to the bills.

REVENUE LEGISLATION AMENDMENT BILL 2024

Messages

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

ENERGY SECURITY CORPORATION BILL 2024

Messages

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

CATHOLIC CEMETERIES AND CREMATORIA TRUST BILL 2024**Messages**

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

GOVERNMENT SECTOR EMPLOYMENT AND OTHER LEGISLATION AMENDMENT BILL 2024**Returned**

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

*Announcements***LEGISLATIVE COUNCIL BICENTENARY REGIONAL ROADSHOWS**

The PRESIDENT (12:32): As we are approaching the 200th anniversary of the first meeting of the Legislative Council on 25 August, I take this opportunity to update the House on the successful completion of our bicentenary regional roadshows. Since the beginning of April, we have taken the Parliament to six locations across the State, ensuring that our regional communities play a significant part in celebrating our bicentenary. We first travelled to Lismore, then Port Macquarie, Bathurst, Batemans Bay, Armidale and, finally, Wagga Wagga last week. These roadshows—"Democracy on the move!"—have been immensely successful.

We hosted a public speaking competition in each region with the topic "Actions speak louder than words". From hundreds of schools across the State, seven students have earned the opportunity to compete in the bicentenary public speaking competition State final to be held in this Chamber on 25 August, exactly 200 years to the day from the first sitting, as part of the Parliament of New South Wales open day. With around 500 people already registered to attend that historic day and the final of the public speaking competition more than half full, I encourage members not to delay in booking their place. It promises to be a very special event.

Additionally, we held six youth forums, attended by almost 200 student leaders from schools across each region. Those outstanding representatives engaged with members of Parliament, senior parliamentary staff and government representatives, voicing concerns on issues such as mental health, climate change, violence against women, regional access to facilities, and roads and transport, as well as vaping and drugs. The roundtable discussions were both thoughtful and meaningful, with students presenting well-considered solutions. The forums also provided an opportunity for those young leaders to connect with one another as the future leaders of our State. I thank the Hon. Rose Jackson for organising for the Office for Regional Youth to attend each forum to help ensure the concerns of the students would be actioned and heard.

The Parliament also conducted 26 free workshops educating people about democracy, representation and parliamentary processes. Those workshops were held in schools with local community groups and for public servants through our Legislative Council in Practice seminars. I extend my appreciation to the Black Rod team for their assistance in organising the events and my gratitude to the Legislative Council members who attended—after all were invited—and participated in the regional roadshow bicentenary events, including Ms Sue Higginson, the Hon. Susan Carter, the Hon. Stephen Lawrence, the Hon. Jeremy Buckingham, the Hon. Sam Faraway, the Hon. Rod Roberts, the Hon. Aileen MacDonald, Ms Abigail Boyd, the Hon. Emily Suvaal and Dr Amanda Cohn. I thank them very much. Their participation was greatly appreciated, and feedback from attendees has been extremely positive. I think everyone would agree that these roadshows have been a highlight of the bicentenary celebrations to date.

*Documents***LAW ENFORCEMENT CONDUCT COMMISSION****Reports**

The PRESIDENT: According to the Law Enforcement Conduct Commission Act 2016, I table the following reports:

- (1) Report of the Law Enforcement Conduct Commission entitled *Analysis of complaints made by or on behalf of Aboriginal and Torres Strait Islander people: An Observation Paper*, dated June 2024, received out of session and made public on 26 June 2024.
- (2) Report of the Law Enforcement Conduct Commission entitled *Operation Harrisdale: A report under section 132 of the Law Enforcement Conduct Commission Act 2016: A car crash in the NorthConnex and allegations of a cover-up by senior police*, dated July 2024, received out of session and made public on 18 July 2024.

- (3) Report of the Law Enforcement Conduct Commission entitled *Operation Tambre: A report under section 132 of Law Enforcement Conduct Commission Act 2016 concerning the conduct of Constable Daniel Keneally in fabricating evidence with intent to mislead a judicial tribunal*, dated August 2024.

FORESTRY AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS

Amendments

The PRESIDENT: According to the Forestry Act 2012, I announce receipt of amendment No. 8 to the integrated forestry operations approval for Riverina Red Gum, dated 31 May 2024, together with a statement of reasons, received out of session and made public on 28 June 2024.

NSW OMBUDSMAN

Reports

The PRESIDENT: According to the Ombudsman Act 1974, I table the following reports of the NSW Ombudsman:

- (1) Special report entitled *Protecting children at risk: an assessment of whether the Department of Communities and Justice is meeting its core responsibilities*, dated 5 July 2024, together with a summary report, received out of session and made public on 5 July 2024.
- (2) Special report entitled *Casebook July 2024: Investigations and complaint-handling case studies*, dated 30 July 2024, received out of session and made public on 30 July 2024.

OFFICE OF THE ADVOCATE FOR CHILDREN AND YOUNG PEOPLE

Reports

The PRESIDENT: According to the Advocate for Children and Young People Act 2014, I table a report entitled *Moving cage to cage: Final Report of the Special Inquiry into Children and Young People in Alternative Care Arrangements*, dated August 2024, received out of session and made public on 5 August 2024.

Visitors

VISITORS

The PRESIDENT: I welcome to my gallery today Mr Stephen Found and Ms Rebecca Mantle.

Motions

NORTHERN RIVERS RAIL TRAIL

The Hon. AILEEN MacDONALD (12:36): I seek leave to amend private members' business item No. 1141 for today of which I have given notice by omitting paragraph (2) (c) and inserting instead:

rail trail tourists consist of a broad range of cycling enthusiasts including children, adults, families, triathlon participants and casual cyclists all willing to enjoy the facilities.

Leave granted.

The Hon. AILEEN MacDONALD: Accordingly, I move:

- (1) That this House acknowledges the Northern Rivers Rail Trail and the economic benefits it brings the region and, in particular, the Tweed.
- (2) That this House notes that:
 - (a) the 24-kilometre Tweed section has been a boon to tourism in the region;
 - (b) the 24-kilometre Tweed section would not have been possible without a \$7.8 million injection from the previous Coalition Government; and
 - (c) rail trail tourists consist of a broad range of cycling enthusiasts including children, adults, families, triathlon participants and casual cyclists all willing to enjoy the facilities.
- (3) That this House commends the previous Coalition Government for its foresight in converting the former rail line into a track for hikers and bikers.
- (4) That this House further acknowledges:
 - (a) that rail trails have become popular attractions around the world because they allow local businesses to flourish like bed and breakfasts, cafes, bakeries, art galleries, farm produce, wineries, caravan parks, bike shops and many more; and
 - (b) the respect for heritage installations like tunnels, bridges and stations and local plans to revitalise them by converting them into commercial hubs like kiosks and bike shops to service rail trail users.

Motion agreed to.

MRS MARIE-LOUISE MARISA PREVITERA, OAM

The Hon. MARK BUTTIGIEG (12:37): I move:

- (1) That this House congratulates Mrs Marie-Louise Marisa Previtera, OAM, for being awarded the Medal of the Order of Australia as part of the King's Birthday 2024 Honours List for her service to the New South Wales Maltese community.
- (2) That this House notes that:
 - (a) since 2012, Mrs Marie-Louise Marisa Previtera has worked with the Maltese Community Council of NSW, providing welfare and social services to the New South Wales Maltese community, organising groups for seniors and advocating tirelessly for the Maltese community to decision-makers;
 - (b) Mrs Marie-Louise Marisa Previtera is the current Welfare Officer of the Maltese Community Council of NSW and has also served previously as the Secretary;
 - (c) for 25 years Mrs Marie-Louise Marisa Previtera has been involved with the Maltese Cultural Association of NSW as a member, also serving as choir director between 2003 and 2021 and vice president since 2017;
 - (d) Mrs Marie-Louise Marisa Previtera is the secretary and co-founder of the Friends of Providence House, which raises funds for Id-Dar tal-Providenza, an organisation in Malta offering services to people with disabilities; and
 - (e) since 2018, Mrs Marie-Louise Marisa Previtera has been a member of the Maltese Government's Council for Maltese Living Abroad, which serves to safeguard the rights of and advocate for Maltese people living overseas.
- (3) That this House thanks Mrs Marie-Louise Marisa Previtera, OAM, for her ongoing service to the Maltese community of New South Wales.

Motion agreed to.

*Committees***LEGISLATION REVIEW COMMITTEE****Reports**

The Hon. CAMERON MURPHY: I table the report of the Legislation Review Committee entitled *Legislation Review Digest No. 16/58*, dated 6 August 2024.

SELECTION OF BILLS COMMITTEE**Reports**

The Hon. BOB NANVA: I table report No. 20 of the Selection of Bills Committee, dated 6 August 2024. According to standing order, I move:

That the following bills are not referred to a standing committee for inquiry and report this day:

- (a) Better Regulation Legislation Amendment (Miscellaneous) Bill 2024;
- (b) Coal Mine Subsidence Compensation Amendment Bill 2024;
- (c) David Berry Hospital Amendment (Prohibition of Sale) Bill 2024;
- (d) Electricity Infrastructure Investment Amendment (Tender Moratorium) Bill 2024;
- (e) Regional Communities (Consultation Standards) Bill 2024;
- (f) Road Rules Amendment (Mobile Phones as Navigation Aids for Provisional Licence Holders) Bill 2024;
- (g) Road Transport Amendment (Driving Through Floodwaters) Bill 2024; and
- (h) Water Management Amendment (Central Coast Council) Bill 2024.

Motion agreed to.

*Documents***AUDITOR-GENERAL****Reports**

The CLERK: According to the Public Finance and Audit Act 1983, I announce receipt of the following reports:

- (1) Performance Audit Report of the Auditor-General entitled *Government advertising 2022-23*, dated 25 June 2024, received out of session and published on 25 June 2024.
- (2) Performance Audit Report of the Auditor-General entitled *Regional Digital Connectivity program*, dated 27 June 2024, received out of session and published on 27 June 2024.
- (3) Performance Audit Report of the Auditor-General entitled *Ambulance services in regional New South Wales*, dated 28 June 2024, received out of session and published on 28 June 2024.

*Committees***STANDING COMMITTEE ON SOCIAL ISSUES****Reports**

The CLERK: According to standing order, I announce receipt of report No. 63 of the Standing Committee on Social Issues entitled *Procurement practices of government agencies in New South Wales and its impact on the social development of the people of New South Wales: First Report*, dated June 2024, received out of session and published on 21 June 2024, together with an erratum dated 12 July 2024, received out of session and published on 12 July 2024.

The Hon. Dr SARAH KAINE (12:41): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES**Reports**

The CLERK: According to standing order, I announce receipt of report No. 62 of Portfolio Committee No. 5 - Justice and Communities entitled *Budget Estimates 2023-2024*, dated June 2024, together with transcripts of evidence, tabled documents, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 27 June 2024.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS**Reports**

The CLERK: According to standing order, I announce receipt of report No. 22 of Portfolio Committee No. 6 - Transport and the Arts entitled *Budget Estimates 2023-2024*, dated June 2024, together with transcripts of evidence, tabled documents, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 27 June 2024.

Ms CATE FAEHRMANN (12:42): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT**Reports**

The CLERK: According to standing order, I announce receipt of report No. 21 of Portfolio Committee No. 7 - Planning and Environment entitled *Budget Estimates 2023-2024*, dated June 2024, together with transcripts of evidence, tabled documents, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 27 June 2024.

Ms SUE HIGGINSON (12:42): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 8 - CUSTOMER SERVICE**Reports**

The CLERK: According to standing order, I announce receipt of report No. 1 of Portfolio Committee No. 8 - Customer Service entitled *Budget Estimates 2023-2024*, dated June 2024, together with transcripts of evidence, tabled documents, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 27 June 2024.

PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW**Reports**

The CLERK: According to standing order, I announce receipt of report No. 58 of Portfolio Committee No. 4 - Regional NSW entitled *Veterinary workforce shortage in New South Wales*, dated June 2024, together with transcripts of evidence, tabled documents, submissions, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 28 June 2024.

The Hon. MARK BANASIAK (12:45): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS

Reports

The CLERK: According to standing order, I announce receipt of report No. 23 of Portfolio Committee No. 6 - Transport and the Arts entitled *Impact of the Rozelle Interchange*, dated July 2024, together with transcripts of evidence, tabled documents, submissions, correspondence, responses and summary report to the online questionnaire, and answers to questions taken on notice and supplementary questions, received out of session and published on 15 July 2024.

Ms CATE FAEHRMANN (12:45): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE

Reports

The CLERK: According to standing order, I announce receipt of report No. 63 of Portfolio Committee No. 1 - Premier and Finance entitled *Artificial intelligence in New South Wales*, dated July 2024, together with transcripts of evidence, tabled documents, submissions, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 25 July 2024.

The Hon. JEREMY BUCKINGHAM (12:46): I move:

That the House take note of the report.

Debate adjourned.

PROCEDURE COMMITTEE

Reports

The CLERK: According to standing order, I announce receipt of the following reports:

- (1) Report No. 19 of the Procedure Committee entitled *Procedures for dealing with disorder by members during committee proceedings*, dated July 2024, together with submissions, correspondence and briefing paper, received out of session and published on 25 July 2024.
- (2) Report No. 20 of the Procedure Committee entitled *Updating the standing orders to require respectful behaviour in the Chamber, particularly as they relate to sexism and racism*, dated July 2024, together with submissions, correspondence and briefing paper, received out of session and published on 25 July 2024.
- (3) Report No. 21 of the Procedure Committee entitled *Giving of notices of motions under standing order 75*, dated July 2024, together with submissions, correspondence and discussion paper, received out of session and published on 25 July 2024.

SELECT COMMITTEE ON THE FEASIBILITY OF UNDERGROUNDING THE TRANSMISSION INFRASTRUCTURE FOR RENEWABLE ENERGY PROJECTS

Government Response

The CLERK: According to standing order, I announce receipt of the Government response to report No. 1 of the Select Committee on the Feasibility of Undergrounding the Transmission Infrastructure for Renewable Energy Projects entitled *Feasibility of undergrounding the transmission infrastructure for renewable energy projects*, tabled on 28 March 2024, received out of session and published on 28 June 2024.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS

Government Response

The CLERK: According to standing order, I announce receipt of the Government response to report No. 21 of Portfolio Committee No. 6 - Transport and the Arts entitled *Current and future public transport needs in Western Sydney*, tabled on 29 April 2024, received out of session and published on 29 July 2024.

*Petitions***RESPONSES TO PETITIONS**

The CLERK: According to standing order, I announce receipt of the following response to a petition signed by more than 500 persons:

- (1) Response from the Hon. Tara Moriarty, MLC, Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales, to an ePetition presented by the Hon. Mark Banasiak on 18 June 2024 concerning eastern blue groper fishing, received out of session and published on 16 July 2024.

*Documents***WATT ADVOCACY AND COMMUNICATIONS****Return to Order**

The CLERK: According to the resolution of the House of Thursday 6 June 2024, I table:

- (a) a return received on Tuesday 25 June 2024 from Greyhound Racing NSW, stating that no documents that are covered by the terms of the resolution lawfully required to be produced are held;
- (b) a return received on Wednesday 26 June 2024 from the Greyhound Welfare and Integrity Commission, together with an indexed list of documents;
- (c) a return received on Thursday 27 June 2024 from the Cabinet Office, together with an indexed list of documents;
- (d) a return received on Thursday 27 June 2024 from the Cabinet Office, of documents subject to a claim of privilege; and
- (e) a return received on Thursday 27 June 2024 from the Cabinet Office, of documents subject to a claim of personal information.

ERARING POWER STATION CLOSURE**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table:

- (a) a return received on Wednesday 26 June 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 26 June 2024 from the Cabinet Office, of documents subject to a claim of privilege; and
- (c) a return received on Wednesday 26 June 2024 from the Cabinet Office, of documents subject to a claim of personal information.

RACECOURSE HOUSING DEVELOPMENT**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table:

- (a) a return received on Wednesday 26 June 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 26 June 2024 from the Cabinet Office, of documents subject to a claim of privilege; and
- (c) a return received on Wednesday 26 June 2024 from the Cabinet Office, of documents subject to a claim of personal information.

PUBLIC SCHOOLS SEXUAL ASSAULT**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table:

- (a) a return received on Wednesday 26 June 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 26 June 2024 from the Cabinet Office, of documents subject to a claim of privilege;
- (c) a return received on Friday 5 July 2024 from the Cabinet Office, together with an indexed list of documents;
- (d) a return received on Friday 5 July 2024 from the Cabinet Office, of documents subject to a claim of privilege; and
- (e) a return received on Friday 5 July 2024 from the Cabinet Office, of documents subject to a claim of personal information.

COOTAMUNDRA HEALTH DRAFT SERVICE PLAN**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table:

- (a) a return received on Wednesday 3 July 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 3 July 2024 from the Cabinet Office, of documents subject to a claim of privilege; and

- (c) a return received on Wednesday 3 July 2024 from the Cabinet Office, of documents subject to a claim of personal information.

SCHOOL BUDGET ALLOCATIONS

Return to Order

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table:

- (a) a return received on Wednesday 3 July 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 3 July 2024 from the Cabinet Office, of documents subject to a claim of personal information;
- (c) a return received on Friday 2 August 2024 from the Cabinet Office, together with an indexed list of documents, including documents for which previous claims of personal information have been withdrawn; and
- (d) a return received on Friday 2 August 2024 from the Cabinet Office, of documents subject to a claim of personal information.

GREYHOUND WELFARE

Return to Order

The CLERK: According to the resolution of the House of Wednesday 19 June 2024, I table:

- (a) a return received on Tuesday 9 July 2024 from the Greyhound Welfare and Integrity Commission, together with an indexed list of documents;
- (b) a return received on Wednesday 10 July 2024 from Greyhound Racing NSW, together with an indexed list of documents;
- (c) a return received on Wednesday 10 July 2024 from the Cabinet Office, together with an indexed list of documents subject to a claim of privilege; and
- (d) a return received on Wednesday 10 July 2024 from the Greyhound Welfare and Integrity Commission, together with an indexed list of documents identifying documents previously returned but which are now subject to a claim of privilege.

STATE BUDGET 2024-2025

Return to Order

The CLERK: According to the resolution of the House of Thursday 20 June 2024, I table:

- (a) a return received on Thursday 11 July 2024 from the Cabinet Office, together with an indexed list of documents; and
- (b) a return received on Thursday 11 July 2024 from the Cabinet Office of documents subject to a claim of privilege.

STATE BUDGET FINANCES 2024-2025

Return to Order

The CLERK: According to the resolution of the House of Thursday 20 June 2024, I table:

- (a) a return received on Thursday 11 July 2024 from the Cabinet Office, together with an indexed list of documents; and
- (b) a return received on Thursday 11 July 2024 from the Cabinet Office, of documents subject to a claim of privilege.

SYDNEY FISH MARKET AND INFRASTRUCTURE NSW

Return to Order

The CLERK: According to the resolution of the House of Wednesday 19 June 2024, I table:

- (a) a return received on Monday 15 July 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Monday 15 July 2024 from the Cabinet Office, of documents subject to a claim of privilege;
- (c) a return received on Friday 2 August 2024 from the Cabinet Office, together with an indexed list of documents subject to claims of privilege or personal information; and
- (d) a return received on Friday 2 August 2024 from the Cabinet Office, of documents subject to a claim of personal information.

BUDGET EFFICIENCY DIVIDENDS

Return to Order

The CLERK: According to the resolution of the House of Wednesday 19 June 2024, I table a return received on Wednesday 17 July 2024 from the Cabinet Office stating that no documents that are covered by the terms of the resolution lawfully required to be produced are held.

MR LUKE MOORE**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 24 November 2021, I table a return received on Friday 2 August 2024 from the Law Enforcement Conduct Commission stating that a relevant document was tabled in both Houses of Parliament.

SYDNEY FISH MARKET AND INFRASTRUCTURE NSW**Variation of Order**

The PRESIDENT: According to Standing Order 53, I table a request received on Wednesday 26 June 2024 from the Cabinet Office to vary the scope of an order for papers regarding the Sydney Fish Market redevelopment and Infrastructure NSW governance, together with a response from the Hon. Mark Banasiak not agreeing to the request. According to standing order, as no agreement was reached, the original order stands with the original due date.

SCHOOL BUDGET ALLOCATION**Tabling of Correspondence**

The CLERK: According to the resolution of the House of Wednesday 5 June 2024, I table correspondence dated Monday 8 July 2024 relating to concerns regarding compliance with the order for papers raised by the Hon. Sarah Mitchell.

PUBLIC SERVANTS' PERSONAL INFORMATION**Tabling of Correspondence**

The CLERK: I table correspondence dated 17 July 2024 from the Secretary of the Premier's Department relating to the impact of the release of public servants' personal information under Standing Order 52.

GREYHOUND WELFARE**Disputed Claim of Privilege**

The PRESIDENT: According to Standing Order 52, I inform the House that on Wednesday 17 July 2024 the Hon. Emma Hurst disputed the validity of a claim of privilege on certain documents returned on Tuesday 9 July 2024. The Hon. Keith Mason, AC, KC, was appointed as Independent Legal Arbiter to evaluate and report as to the validity of the claim of privilege. The disputed documents were released to Mr Mason.

TABLING OF PAPERS

The Hon. EMMA HURST: By leave: I table a document comprising a printout of the names of citizens who have signed an online petition entitled "Demand Justice for Kevin: Investigate RSPCA NSW's Disregard for Stray Cats Like Kevin". I move:

That the document be published.

Motion agreed to.

*Petitions***PETITIONS RECEIVED****Shark Nets**

ePetition requesting that the Legislative Council call on the Government to permanently remove shark netting from New South Wales beaches, received from **Ms Cate Faehrmann**.

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

*Visitors***VISITORS**

The PRESIDENT: I welcome to the Parliament students from Montgrove College who are participating in the Legal Studies and the Legislature program conducted by the parliamentary education team. I also welcome Miss Isabella Gajda, who is present in the gallery today. She is currently undertaking work experience in the office of the Hon. Mark Banasiak.

*Questions Without Notice***CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION**

The Hon. DAMIEN TUDEHOPE (13:31): I also welcome the students from Montgrove College. My question is directed to the Leader of the Government. Noting that the CFMEU Construction and General Division's affiliation with the New South Wales Labor Party has been suspended due to concerns about criminal activity, are there any current financial members of the CFMEU Construction and General Division still actively participating in Labor Government decision-making?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:31): That is a very interesting question. I will have to take it on notice because I am not clear on the question the Hon. Damien Tudehope is asking. Does he mean staff and members, or is he just talking about members? I can provide information, but perhaps the member might want to provide a little bit more detail.

The Hon. DAMIEN TUDEHOPE (13:32): I ask a supplementary question. I appreciate the call for elucidation by the Leader of the Government. Are any members of the Labor Party caucus who are currently members of the CFMEU Construction and General Division still actively participating in Labor Government decision-making?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:32): I will take the question on notice.

The Hon. MARK LATHAM (13:32): I ask a second supplementary question. In the review to establish a single building Act in New South Wales, why is the Government still engaging with officials of the CFMEU to determine the outcome of that draft bill?

The Hon. Daniel Mookhey: Point of order: I feel obliged to at least raise the principle that we should enforce when it comes to second supplementary questions—that they should be in some way related to the original question. The Hon. Mark Latham has asked a fine question, but he may wish to do so as a substantial question and not as a second supplementary.

The Hon. Mark Latham: To the point of order: As I heard the original question from the Leader of the Opposition, he was asking about the role of members of the CFMEU in government decision-making.

The Hon. Daniel Mookhey: The Labor Government.

The Hon. Mark Latham: No, it is not what he said the first time; it is what he said the second time. The Treasurer needs to listen to what was actually said the first time. It was about members of the CFMEU involved in government decision-making. There was a briefing to a committee last week that the CFMEU is involved closely in the development of the consolidated building Act under Minister Chanthivong. The question is obviously in order and deserves an answer.

The PRESIDENT: The mere presence of the acronym CFMEU in the second supplementary question does not make it a direct elucidation of the previous answer. It was indeed a new question. The question is out of order.

ROAD TOLLS REVIEW

The Hon. MARK BUTTIGIEG (13:34): My question without notice is addressed to the Minister for Roads. The final report of the Independent Toll Review was released recently. Will the Minister outline to the House some of the recommendations from the review?

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) (13:34): I thank the member for his question. The recently released Independent Toll Review was led by Professor Allan Fels and Dr David Cousins, and I thank them for their help. It is an important step towards toll reform in this State. The report revealed that even after billions of dollars have been paid by motorists, the drivers of this State still have \$195 billion in tolls to pay before the toll contracts run out in 2060. That gives members some idea of the scale of the problem.

This Government is committed to taking back control of tolling in New South Wales. That will not be easy, but it is necessary. Without toll reform, the truth is that Sydney will become a more expensive, more congested and less productive city than it otherwise would have been. That is true already, but think about how true that will be in the decades up to 2060. That is at the heart of the problem of toll reform. The report makes it clear that,

while it will be difficult, toll reform is possible. That is a real breakthrough. Indeed, that is not just the view of the Government or the view of the reviewers.

The PRESIDENT: Order! Members will cease interjecting.

The Hon. JOHN GRAHAM: Importantly, it is now the view of the private toll operators. They also say that toll reform is possible. That is good news for drivers and good news for the public. It is clear that toll reform is possible for the people that the Premier identified during the election campaign—long-term commuters driving long distances who are bearing the burden of those tolls. They do not have access to public transport so they are bearing the burden of those tolls.

The report recommends the introduction of declining toll charges the further motorists drive. That would reduce the burden on people driving from Western Sydney, the Illawarra and the Central Coast. It also makes clear how complex and confusing the toll system is. It recommends a government-owned "NSW Motorways" entity to help simplify tolling. Currently, as we know, the tolls on a person who lives in Western Sydney go up every year or every quarter, but that is not the case across the whole network. The Government wants to see a system that is fair for everyone across Sydney, and everyone has to help. The Government is carefully considering the range of findings and recommendations from the report. I again thank the reviewers. The Government will take its time to formally respond, but this has been an important step forward.

MANUFACTURING FOR SCHOOLS PROGRAM

The Hon. SARAH MITCHELL (13:37): My question is directed to the Minister for Domestic Manufacturing and Government Procurement. When did the New South Wales Government terminate the \$39 million contract with the APP Group as its Modern Methods of Construction integration partner? Why was the contract terminated? What was the total paid to the APP Group by the Government as a result of that termination?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:38): I thank the honourable member for the question. I did not hear whether the member asked it to me in my primary capacity or in my capacity representing the Minister for Education and Early Learning. I will take the specific references to the amount of the payout on notice and come back to the member because, under the devolved procurement model, the day-to-day management of procurement contracts is the responsibility of individual agencies, as the member is probably aware. In relation to community concerns about delivering our historic school-building program, we are not going to compromise on standards or time frames. The Government is committed to delivering on its election commitment to build schools right across the State.

The Hon. SARAH MITCHELL (13:39): I ask a supplementary question. I thank the Minister for her answer and appreciate that she has taken some of it on notice. Will the Minister elucidate the part of her answer where she talked about time frames? Will the Minister advise whether new tenders have been issued for the Manufacturing for Schools program? If so, when were those tenders issued? What will the impact be on the anticipated delivery dates for the 32 projects covered by the now shredded contract with the APP Group?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:39): Again, some specifics were asked that I have already taken on notice. It was not a contract to construct schools; it was a contract to support planning. I am advised that construction tenders for new and upgraded schools are set to go out in the coming months—schools that the Government remains committed to delivering. The Government expects the highest standards of integrity and value for money in any government contract, and its standards and time frames will not be compromised as a result of this decision.

CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

The Hon. JOHN RUDDICK (13:40): My question is directed to the Leader of the Government, in her capacity as the Minister for Energy. Earlier this year the Minister advised Portfolio Committee No. 7 - Planning and Environment that a mere six submissions were received from stakeholders during the exhibition period of the draft Central-West Orana Renewable Energy Zone declaration. The submission process was designed to hear of local concerns, but the Minister confirmed that three of the six submissions were received from renewable energy developers, two were from public authorities and one was from an undisclosed organisation. The Minister also confirmed that the submissions were confidential. Will the Minister provide evidence that the views of the local communities were considered prior to the declaration, as is strictly required by section 19 of the Electricity Infrastructure Investment Act 2020?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:41): I thank the honourable member for his important question that relates to the decision of the previous Government to declare the Central-West Orana Renewable Energy Zone, so it occurred over time. I can give the member the following information: Local engagement on the renewable energy zone began in April 2020 when the previous Government held the first Central-West Orana Renewable Energy Zone regional workshop, and the Central-West Orana Renewable Energy Zone regional reference group was consulted on the original declaration in June 2021. The previous Government also exhibited and sought feedback on the draft declaration for four weeks from September to October 2021 and, as the member outlined, received six submissions that were considered prior to finalising the declaration in November 2021. I am advised that, as all points raised during the exhibition period were already addressed, no changes were made between the draft and the final declaration order.

Additionally, there has been a change to the declaration that I undertook as the Minister in December 2023 following the identification of a need to increase network capacity in the Central-West Orana Renewable Energy Zone to respond to the increasing demand for electricity. While the road map legislation does not include any statutory obligations for consultation on declaration amendments, EnergyCo sought feedback through a formal submission process and directly through community pop-up events, the Central-West Orana Renewable Energy Zone regional reference group and other community engagements. More generation capacity means more benefits for the community and greater local employment and economic growth outcomes.

Beyond declarations of renewable energy zones, the Government is committed to maintaining ongoing engagement with local communities in the Central-West Orana Renewable Energy Zone, and that work continues. There is ongoing consultation with the local government. I particularly thank the mayors for their constructive engagement. There is also a community reference panel and a First Nations group that has developed its own guidelines. I was recently in Wellington where over 50 people welcomed the approval of the Central-West Orana Renewable Energy Zone through the planning system, which I also welcome. I think that covers the issues the member raised. I am happy to provide the member with additional information about the declaration, which happened before I was in government.

FIRST HOME BUYERS

The Hon. ANTHONY D'ADAM (13:44): My question is addressed to the Treasurer. Will the Treasurer update the House on the Government's first home buyer assistance reform and how it is assisting with cost of living for the people of New South Wales?

The Hon. DANIEL MOOKHEY (Treasurer) (13:44): I thank the member for his question. I know he takes a strong interest in the actions that this Government is taking to confront the housing crisis. On the first day back after the winter break, I am pleased to inform the House that in the first 12 months of the Government's First Home Buyers Assistance Scheme, 33,365 first home buyers received an exemption or concession on stamp duty. On average, those 33,365 people saved \$20,479. Pleasingly, there has been a 77 per cent increase on total stamp duty support under this Government's scheme compared to the one that it replaced, demonstrating how the Government is determined to help the many home buyers, not just the few. In 2022-23 only 23,290 people were getting government assistance with stamp duty compared to 33,000 one year later, after this Government delivered on its election commitment.

I update the House on where precisely first home buyers are able to buy, because one of the points that those opposite made in debate at the time was that it would result in only a few people in a few suburbs getting help. I am pleased that the number one and two local government areas getting support are Cumberland and Blacktown, followed by Parramatta, Penrith, Canterbury and Campbelltown. In case anyone thinks it is purely for Western Sydney, even first home buyers in Mosman are getting a step up. Just 21 people in Mosman received assistance under the previous Government's policy; 77 first home buyers in Mosman have received assistance under this Government, which is more than triple. In the Leader of the Opposition's electorate of Cronulla, there has been a 77 per cent increase in first home buyers receiving assistance. It is not just a policy for Sydney; pleasingly, in the regions, Wagga Wagga has seen a surge in support. When I am in Wagga Wagga talking about it, I will let the Hon. Wes Fang know.

KOALA PROTECTION

The Hon. MARK BANASIAK (13:47): My question is directed to the Minister for the Environment. Environment and Heritage has nominated the koala for inclusion on the list of species susceptible to serious and irreversible impacts from new developments, which it was not previously on. As part of its justification, Environment and Heritage referenced a 2020 parliamentary inquiry into koalas but refused to acknowledge the most up-to-date data and research from scientists such as Dr Brad Law. Why was the research conducted by Dr Law—which includes 25,000 hours of nocturnal recordings over seven consecutive years in 224 forests of

north-east New South Wales, which identified 11,000 bellows—discounted from the department's decision process in updating the list?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:48): I thank the member for his question. The point is pretty clear and well accepted across all of the science, which I do not believe the member is arguing with: Koalas are in a dire situation in New South Wales. They are on track to be extinct in the wild by 2050 unless action is taken to save them. A whole lot of work is going on across government to do just that. There is a lot of work. My department draws on a range of different scientific analyses, as well as reports and population surveys, that are being undertaken. This work is ongoing and iterative: It keeps going all the way through. The point here is that koalas are listed as vulnerable. Koalas are reducing their populations, which are basically crashing all over the State. We are doing very close work in drone surveys and a range of things to count the number of koalas. The previous Government did not even try to do that. We are working through all of those issues.

I am aware of the evidence, undertakings and testings done by Dr Brad Law, the principal research scientist in the forest science unit of the New South Wales Department of Primary Industries. He has recently published a seven-year major study that monitored koalas in a range of different areas in northern New South Wales, which I think is what the member is referring to. I am very happy to work through any of those additions. My view is that we need all hands on deck to understand koalas. The scientists tell me they are quite a cryptic animal: They do not follow the trends that you want them to and they are pretty hard to see, although we are getting better at finding them. My view is very clear on this: We need to take action in relation to saving koalas, which is why we are doing national parks and a range of other activity. It is why we have protections in both the planning system and through forestry guidelines as well. All of that is undertaken. All of that is taken seriously and all of that forms part of the decision-making within my department.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. NATALIE WARD (13:50): My question is directed to the Minister for Roads. I note that while the Minister for Transport was holidaying in Hawaii the Minister for Roads was the acting Minister for Transport. During the recruitment process for Transport secretary Josh Murray, his lack of operational experience was described as a significant risk. What steps did the Minister for Roads take to personally verify the scheduled opening of the Sydney Metro—

The Hon. Penny Sharpe: Point of order: The question includes imputations of others. It also contains argument and should be ruled out of order.

The PRESIDENT: I will hear the end of the question and then make my determination. The member will start the question again.

The Hon. NATALIE WARD: Can I make a submission on the point of order, Mr President, or would you like me to read the question first?

The PRESIDENT: The Hon. Natalie Ward will read the question first and then make her submission on the point of order. Other members may wish to make submissions to the point of order.

The Hon. NATALIE WARD: My question is directed to the Minister for Roads. I note that while the Minister for Transport was holidaying in Hawaii the Minister for Roads was the acting Minister for Transport. During the recruitment process for Transport for NSW secretary Josh Murray, his lack of operational experience was described as a significant risk. What steps did the Minister for Roads take to personally verify that the scheduled opening of the Sydney Metro on 4 August was on track?

To the point of order: The question includes two factual matters that provide background. One is the factual matter that the Minister for Transport was on holidays. The second is the operational risk concern raised by others about the Transport secretary's capability. Those are two issues that factually inform the question in relation to the acting Minister's steps to personally verify that the scheduled opening on 4 August was on track. Those are factual matters; they are not seeking to be argumentative. They are simply stating the background facts that give concern, which raised our question.

The Hon. Dr Sarah Kaine: To the point of order: I would argue that the question indeed includes imputations. Asserting something is a fact does not make it so. The suggestion made about the Secretary of Transport for NSW was part of evidence taken in an inquiry that canvassed that in context, so it has been taken out of context to cast those imputations and should not be allowed.

The Hon. Damien Tudehope: To the point of order: The assertion was not fabricated. The assertion was contained in an assessment of Mr Murray made by others in relation to his application and suitability for the job. It is not a merely fanciful description; it was a description made by others in relation to his recruitment process.

It factually grounds the issue that arises in relation to the opening on 4 August, and the Minister's role to ensure that the secretary was taking all steps necessary to make sure that it was operationally able to do so.

The Hon. Daniel Mookhey: To the point of order: Mr President, I think you and other Presidents have previously ruled that, when it comes to what is described as background material in questions, the test to be applied is whether or not it is strictly necessary for the question to be understood. I would suggest that, certainly in respect to the comments that have been made about the secretary, they are not relevant for the purpose of the Minister being able to understand the question at all.

Given that you have previously ruled in the previous session you would police these to ensure that the questions are pertinent and fast, I would suggest that the question is well and truly capable of being answered without including those two statements. Therefore, in order to avoid any unintended impact on any person's reputation, including that of a public servant, perhaps you should at least cause that part of the question to be removed. The Minister is capable of answering the rest of the question without that accurate detail.

The PRESIDENT: The Treasurer is quite right when he refers to a previous ruling that I made that goes to Standing Order 65 (1) (a), which states:

Questions must not contain:

- (a) statements of fact or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated.

However, I note a ruling of former President Primrose, in which he said:

... it is impossible for the Chair to determine the veracity of facts presented by members in questions. The standing orders require simply that any facts presented should be limited to those that will make the question understandable. Any member who makes an assertion thereby attests to the veracity of that assertion.

It is not my intention to start censoring questions too heavily. That having been said, we do need to adhere to the standing orders. On this occasion, the way we are going to proceed is as follows: I instruct that the words "was holidaying in Hawaii" be removed because they are not relevant to the question and that they be replaced by "was on leave". I allow the second part of the question to stand. The Minister has the call.

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) (13:57): I am very happy to answer the question now that it has been amended. Mr President, I first became aware of the prospect of a delay, like the Premier, on Monday 29 July. I think the words the Premier has used publicly were that he was advised it was "possible not probable" that it would open on that date. Subsequent to that the Minister—on advice—made a decision to defer the opening date, and almost immediately notified the public.

I place some views on record that I think might be helpful for members who have possibly become lost in the flurry of statements from the Opposition about this matter. When the Minister announced the metro opening date, she had two things to say at the time. Firstly, the metro opening was "subject to final testing and regulatory approvals", and, secondly:

Final confirmation of the opening date will be given in coming weeks following the operator successfully completing more than 100 remaining trial running exercises ...

I place on record that I think it is important that the Minister at the time was up-front with the public that there was significant work to go. That reflects that this is an extensive exercise. Extensive testing of safety issues needed to be arranged.

The PRESIDENT: Order! I have previously ruled that peppering Ministers with questions is not parliamentary and will cease. The Minister has the call.

The Hon. JOHN GRAHAM: I place those things on record. One of the things I like about the shadow Minister is that she does not mind being on the front foot on an issue. She does not mind going on the attack on an issue. For example—

The Hon. Natalie Ward: Point of order: I am pleased that the Minister is probably alluding to the fact that when we promise to do something on 4 August, we do something on 4 August. When we promise that, it will happen. We make sure that we can do it. My point of order is this: My question in relation to the Minister holidaying in Hawaii was directed to this Minister, who was acting in the role, about what steps he took to ensure that the project was on track. He is talking about all the other things. He is talking about what the Minister was doing. We know she was lying on a sunbed. What I would like to know is what the acting Minister was doing. What steps did he take to personally verify that the scheduled opening on 4 August was on track?

The PRESIDENT: I do not uphold the point of order. The Minister has the call.

The Hon. JOHN GRAHAM: I was referring to the fact that the shadow Minister, on the Rozelle interchange, likes to both complain about it but also claim credit from the Government. This is what is hot in relation to these train delays. There is a short delay in the opening of the metro. The Premier has been clear that the Government is sorry about the impact on the public. I refer to the former Government's delays to the XPT replacement—it was three years late. The intercity fleet was four years late. At least members opposite can complain about this one, because the metro is going to open; they never even got those trains on the rails. They never started. There was no opening at which to have a party.

The Hon. Natalie Ward: Point of order: Clearly the acting Minister did not have a holiday and needs a holiday. He needed some rest during that time, and he did not get it. I ask that you draw him back to the question. He is talking about all these other things. We have listened carefully. What did the Minister do? What steps did the Minister take? I ask that you draw him back to the question that has been asked.

The PRESIDENT: I would be more inclined to accept the member's point of order if she did not continually flout my original ruling. The Minister has the call.

The Hon. JOHN GRAHAM: I hope that when those trains take the rails, the shadow Minister has a party. At that point, three to four years on, when those trains that were never delivered hit the rails, I hope the shadow Minister has a party.

The Hon. NATALIE WARD (14:01): In the meantime, we will be there with bells on. I ask a supplementary question. As the acting Transport secretary during that time, was the Minister for Roads not briefed on the 12 July meeting of experts which warned that 4 August was a risk, with 18 August a more likely date?

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) (14:02): I think the shadow Minister may have misspoken when she suggested I was the acting Transport secretary. I was the acting Minister for Transport. I will answer the question in that spirit. To the best of my knowledge, I was not made aware of the warnings that are referred to publicly from that 12 July meeting. As I have indicated, I first became aware of that on Monday 29 July. I think the Premier has been really clear about that, as has the Minister. This is a lesson to the Government. We are apologetic about the impact on the public—as we should be—but the metro will open. This will be a great rail system for decades to come.

The Hon. Damien Tudehope: Thank you. Thank you. Thank you. Thank you.

The Hon. JOHN GRAHAM: And here we have it again: complaining—

The PRESIDENT: Order! The Leader of the Opposition will come to order.

The Hon. JOHN GRAHAM: —and claiming credit. Opposition members love doing both. I would take it more seriously if they delivered on those claims. I would take it more seriously if they were not three or four years late. This will open, unlike the rail projects of those opposite.

The PRESIDENT: The Leader of the Opposition's stentorian voice is cutting through quite strongly today. He might ratchet it down a notch or two.

KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT

The Hon. BOB NANVA (14:03): My question is addressed to the Minister for the Environment. Will the Minister update the House on progress on protecting the vital ecosystem of Kosciuszko National Park?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:03): I thank the member for his ongoing interest and report that we are doing everything we can to save the broad-toothed rat and the range of other animals that are there. Bob is colloquially known in our office as Bob the broad-toothed rat—we love that. The point is that serious progress has been made. In the coming weeks I look forward to releasing more report cards on how Kosciuszko National Park is travelling. It is doing better as a result of the considered and focused effort of the staff and others from the National Parks and Wildlife Service who are undertaking the Kosciuszko National Park Wild Horse Heritage Management Plan, which was prepared and adopted under the Kosciuszko Wild Horses Heritage Act.

Members will be well aware that the population of wild horses across the park needs to be reduced to around 3,000 by 2027. We were nowhere close to doing that. But after a considerable amount of incredible work and changes to the ways in which we could remove horses from the park, I report to the House that between the commencement of the plan in November 2021 until 2 August 2024 8,944 wild horses have been removed from the park. This Government is doing what it said it would do, and that is to protect that very important alpine park. It is our only alpine park and our largest park. It is home to more than 28 threatened species that appear nowhere

else on Earth. The decision on the horses was not easy to make, but it was absolutely essential to ensure that we can protect that park and protect the animals and the plants that live within it.

I take the opportunity to address some issues that have been raised regarding what happens once we get to a population of 3,000 horses. What happens next? We are working very hard to get down to the legally required level of 3,000 horses. I inform the House that the next population survey will be undertaken in October this year. As we have always done, we will release the results of that survey, including the methods used, once the analysis and independent peer review process is complete. I also report to the House that because of the great interest in how we count the horses and the work that has been undertaken—I acknowledge the committee that has been diligently working on that under the Hon. Emma Hurst—the 2024 survey will use some additional methods for counting, including mark-recapture distance sampling methods. I can give a lecture on that later—I will not do that now. We are also considering the trial of thermal cameras.

We want to get the most accurate count that we can. The work that is being undertaken in Kosciuszko National Park will also be applicable in other areas. I think it will inform the counting of animals into the future. It is really important. Finally, I yet again thank the National Parks and Wildlife Service staff for their dedicated work. It has not been easy. They have been under a lot of pressure in their local areas, and they have undertaken their work with absolute professionalism.

POLICE AND FIREARMS

The Hon. ROBERT BORSAK (14:06): My question is directed to the Hon. Tara Moriarty, representing the Minister for Police and Counter-terrorism. Will the Minister outline the procedures, criteria and specific psychological or behavioural evaluations used to gauge whether a NSW Police Force officer with a history of domestic violence, apprehended violence orders or mental health issues in the past five years is a fit and proper person to carry a firearm as part of their duties, since they are not licensed?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:07): I thank the honourable member for the question, which has been asked of me in my capacity representing the Minister for Police and Counter-terrorism. As there is a level of detail to the question about assessments that are made for police officers in certain circumstances, I will take the question on notice. I will return to the member and to the House with an answer. This is a good opportunity to recognise the great work that the police do across New South Wales. I take this opportunity to thank them for their incredible work.

The Hon. ROBERT BORSAK (14:08): I ask a supplementary question. Will the Minister elucidate how many officers who have been evaluated in the past five years are currently carrying firearms in the course of their duties, and how many are not?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:08): I thank the member for the supplementary question. I do not have the detail to hand—as the member would appreciate—on how many police officers are carrying those firearms in the circumstances in which I have been asked. I will take the question on notice. I will come back to the House and to the member with the answer.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. SCOTT FARLOW (14:08): My question is directed to the Minister for Roads. While the Minister was acting Minister for Transport, did he at any time warn the Premier that the scheduled opening of the Sydney Metro was at risk due to the code red imposed by the Fire Brigade Employees Union from 11 July to 26 July on participation in required safety tests?

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) (14:09): The simple answer to that question is no.

MINEWORKER SAFETY

The Hon. EMILY SUVAAL (14:09): My question is addressed to the Minister for Natural Resources. Will the Minister update the House on the importance of safety for mineworkers in New South Wales?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:09): I thank the honourable member for a very important question about mine safety. I congratulate her on chairing the first day of hearings in our important inquiry into post-mining land use.

The Hon. Wes Fang: So why didn't your people show up, just Emily and me?

The Hon. COURTNEY HOUSSOS: Don't worry, we will get to that. It is really important work towards a post-mining future for so many of our existing coalmines that are closed or slated for closure in coming decades. I am looking forward to the report. I am delighted to update the House about a really interesting mine that I visited on the weekend. I went underground with a good friend of mine and an amazing character, Dan Repacholi, the Federal member for Hunter. I will let members and those watching at home think about the fact that, yes, Dan is significantly taller than I am.

We went underground at Dartbrook. For those who do not know, the Dartbrook mine has been in care and maintenance since 2006. It was previously a longwall mining operation and is now due to reopen, possibly as early as this month, with really innovative new technology that has been designed and built in the Hunter Valley. The part that I find really interesting, apart from the great story that it is, is that it actually uses the old bord and pillar method of mining, not longwall mining. Using that really innovative technology will unlock that coal resource.

I congratulate the team at Dartbrook because, in addition to that really amazing and innovative technology—built, designed and now being used in the Hunter Valley—they are also using industry-leading safety technology. Their special sensors isolate the machinery operating, and they sent me out as part of the team that went underground on Sunday to show me exactly how well it works. It isolates the machinery if a worker gets within five metres. I am happy to tell the tale: Yes, it is working, but they told me that they had been told the technology would never be able to operate. It is fantastic that we can do it in the Hunter, unlocking those coal resources.

It will also create 100 jobs. The innovative technology that I got to see, which was the second part of the visit, is actually being operated from the mine surface. Those 100 jobs will be a mixture of traditional underground mining and computer work remotely operating the technology underground. While I was in the Hunter Valley, I also opened the NSW Mining Health, Safety, Environment and Community Conference—an opportunity for the industry to share best practice. The Labor Government is absolutely committed to ensuring that every worker returns home safely from work to their family, and we are delighted that the industry is sharing that best practice.

PUBLIC SERVICE WORKPLACE PRESENCE

Ms ABIGAIL BOYD (14:12): My question is directed to the Special Minister of State. At a time when the New South Wales Labor Government is presenting a pay offer below the rate of inflation—in effect, a real-terms pay cut—what consideration was given to the additional cost-of-living imposition on public sector workers as a result of the Government's unilateral decision to direct workers back to the office after years of successful working-from-home arrangements?

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) (14:13): In relation to the first part of the member's question, I place some things on record. As Special Minister of State, it is not really my portfolio area. But given the Treasurer's outrage and the projections in the budget about inflation, I feel obliged to indicate that the Government does not accept the first assertion in the question. Those are the figures in the budget. Government members have been quite clear that we have scrapped the wage cap. We recognise that we need to invest in essential workers if we are to repair the damage to the public sector capacity that happened over 12 years. The Government has been quite up-front about that.

The question about working from home is a good one, though, and I place some matters on record. On 5 August the Premier's Department published a circular specifying that New South Wales government sector employees should principally work in an approved office, workplace or related worksite. That was the action of that secretary, the official from the Premier's Department. I stress that the circular does not change the Government's policy on flexible working arrangements—for example, part-time work, job sharing and flexible start and finish times. Often those are quite important to people. However, the public service head feels that approach is necessary in order to make the most of what is required for the public sector.

One thing that has been weighed heavily is the need for younger public sector workers and early-career team members to have the ability to interact with other team members and have mentorship and group experience, which is often where they learn their skills in the workplace. I know that is one of the things that has been weighed. I should stress that 85 per cent of New South Wales public servants are frontline workers and do not have the choice to work at home. It is just not a choice for a police officer, a teacher or a firefighter—those face-to-face roles. That is the case for much of the public service, but the changes are deliberate and considered. They have been discussed with the Secretaries Board and amongst the leadership of the public service. They represent an incremental change, and some of those other flexibilities are still there. However, the Government considers this an important step when it comes to our public servants working together and making the most of our CBDs as well. [*Time expired.*]

Ms ABIGAIL BOYD (14:16): I ask a supplementary question. The question I asked was about the additional cost-of-living imposition on public sector workers. I ask the Minister to clarify what consideration was given to, for example, the additional cost of travel or having carer responsibilities et cetera when issuing the directive.

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) (14:16): I thank the member for the supplementary question. To get to those specific considerations, I would have to take that on notice. I am happy to do so, and I do not make that statement lightly. For example, the cost of tolls when moving around Sydney is one of the reasons that those flexibilities are still there as a part of the arrangements. Those flexible arrangements have been important to public servants. They have been retained, and they are often protected in the awards. This is not an attempt to stop them being used. However, as a public sector, it is important that the secretaries can take those steps together, and the Government endorses them.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. NATASHA MACLAREN-JONES (14:17): My question is directed to the Leader of the Government. When will the Sydney Metro open?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:17): I thank the honourable member for her question. I am very pleased that she decided to ask me. It will open when it is safe to do so and as quickly as we can open it.

The Hon. NATASHA MACLAREN-JONES (14:18): I ask a supplementary question. If the Minister now will not set a firm opening date because of safety reasons, why did the Labor Government set an opening date of 4 August without any certainty that the metro could open safely on that date?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:18): I am sorry we did not meet the Hon. Natalie Ward's fundraising goals, but I refer to the answer given by my colleague the Minister for Roads. I also refer to my previous answer in this Rail Safety Week—which all members should be paying a bit of attention to. We will open the metro as soon as we can and when it is safe to do so. There are a whole lot of protocols that we need to go through, and those opposite should be aware of those. They will be undertaken, and we will open it as soon as we can.

MODULAR HOUSING

The Hon. CAMERON MURPHY (14:19): My question without notice is addressed to the Minister for Housing. Will the Minister please inform the House about the New South Wales Government's commitment to explore the use of modular housing across New South Wales?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (14:19): Indeed I will. As I have updated the House many times, this Government has a comprehensive plan to build homes for New South Wales. That is a key goal of this Government. We changed the planning system so we can build homes for New South Wales. We have changed the way infrastructure is funded for the purpose of building homes for New South Wales. We have put billions of dollars in the budget to build homes for New South Wales. One of the other innovative things we are doing is exploring the potential for modular housing as part of our Building Homes for NSW plan. Last year I had the opportunity to visit the QBuild modular housing village. It probably does not shock anyone to know that I am not a huge State of Origin fan—go the Blues!—but I know that we won. Unfortunately, we were not winning the State of Origin on modular housing. QBuild in Queensland had a full village, a full suite and a pipeline.

When I became the Minister, New South Wales was lagging badly when it came to exploring the potential of modular housing. We have turned that around. Last year, we injected millions of dollars in the budget to set up a modular housing taskforce, and we are now rolling out these homes on sites across New South Wales. The Illawarra and Lake Macquarie are the first cabs off the rank, where we will be using this innovative technology for fast delivery of quality permanent homes. We are talking 20 per cent faster and 20 per cent cheaper than traditional methods of construction. Do not misunderstand; we will still be using traditional methods of construction to build thousands of homes in New South Wales. Every lever has to be pulled and every button needs to be pressed. The lack of creativity, foresight and investment in these new industries by the previous Government has left New South Wales really lagging behind.

We are playing catch-up as quickly as we can by getting the modular home pipeline moving. This is important because it is not just saving money, which means more homes; it is not just saving time, although we

know how urgent this challenge is. It is also investing in those new advanced manufacturing industries that have a real opportunity in New South Wales if given the right support. It was great to visit Hi-Tech Modular Homes out in south-west Sydney with the Premier recently to talk to the team there and to see the quality homes that it can turn around much more quickly and cheaply than some of our traditional methods. It was great to meet the workers on site there. It does not matter if it is raining; it does not matter what the weather is. They are building the homes in factories and delivering them on sites. They can have them up in two days, which is incredible. A really exciting new industry supporting new workforces and delivering homes faster. That is what this Government is all about.

PUBLIC SECTOR WORKPLACE SAFETY

The Hon. TAYLOR MARTIN (14:22): My question is directed to the Parliamentary Secretary for Work Health and Safety. The *State of the New South Wales Public Sector Report 2023* showed a reduction in employee wellbeing from 62.4 per cent in 2021 to 53.5 per cent in 2023. This is a decrease of 9 per cent in just two years. Given that the New South Wales Government is the largest employer in Australia, is this Government committed to stepping up and addressing psychosocial risk in the public sector?

The Hon. MARK BUTTIGIEG (14:23): I thank the honourable member for his question. I have not been directly briefed on the matter, but I can inform the member that there was a McDougall report that recently came out, which addressed these issues. My recollection is that with about 90 per cent of physical injuries, people returned to work within three months. With psychosocial injuries, after 12 months, 50 per cent of those claims have still not returned to work. It is a big problem and the member is right to address the issue. The SafeWork recommendations were to employ more dedicated inspectors with specialist training skills in psychosocial claims. There is a mismatch between the level of expertise of those inspectors and the growing number of claims. I think that one of the other recommendations was to conduct industry forums between unions and employers to discuss these issues and to better socialise the knowledge of psychosocial claims. My understanding is that the Government is accepting those recommendations. I will undertake to get a direct briefing for the member.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. CHRIS RATH (14:24): My question is directed to the Minister for Roads, representing the Minister for Transport. How much has been expended on the team of workers handing out promotional material on the failed opening of the metro, including the cost of their T-shirts?

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) (14:25): Firstly, let me congratulate the member on his promotion. It is a delight to have him as the shadow Special Minister of State, and I welcome his questions. He has roved freely in question time to date, and this will only give him more encouragement to do so. I welcome the scrutiny. The question is about the important team which is out and about explaining the impact of the metro. I ran past some of them this morning on my way into work. I grabbed one of the leaflets and it was quite informative about the metro. The Government makes no apologies for having them out and about, given the campaign of misinformation and disinformation that the Opposition is running.

It is important that the public knows what is going on, given the amount of dust that the Opposition and the shadow Minister are kicking up on this issue. I neglected to comment on the shadow Minister's party on 4 August. I congratulate the member, and I am broadly in support of her support for the night-time economy. If it were me, I probably would not have made it a fundraiser; I was quite surprised by that. It is really important that we engage with the public around this. The Minister for Transport has been clear that the metro will be opening relatively soon, as long as the safety changes happen. It is important that we have this team on the ground talking to the public at this time.

The Hon. CHRIS RATH (14:27): I ask a supplementary question. Were the T-shirts that the workers are wearing manufactured in New South Wales?

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) (14:27): The Opposition started with a set of very important questions over question time, and it has declined over the course of the hour. These are important workers doing important work informing the public. I commend them for their work.

The PRESIDENT: Before calling the Hon. Stephen Lawrence, I note that I could not hear a word of the Minister's final response. If I could not hear it, Hansard could not hear it; so please think of Hansard.

RECREATIONAL FISHING

The Hon. STEPHEN LAWRENCE (14:28): My question without notice is addressed to the Minister for Agriculture. How is the New South Wales Government delivering on its election commitment for better investment for recreational fishers?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:28): I thank the honourable member for his question and for his significant interest in fishing. As the House knows, I am one of the millions of people in New South Wales who like to indulge in fishing, although not as often as I would like. I am one of the people who pays into the \$16 million Recreational Fishing Trust, which is a collection of licence fees. We will allocate an amount of \$2 million per year directly to local fishing groups and local community organisations that are involved in fishing in order to provide the small infrastructure that they have told me and the Government that they want in their local communities. This will include small infrastructure like fish-cleaning tables and kayak launching pads. Many more people fish from kayaks these days than did so in the past.

The Hon. Sarah Mitchell: Do you?

The Hon. TARA MORIARTY: No, I do not. The funding will provide lights for people who fish at times of the day when lighting can be an issue, and other small infrastructure in local communities where recreational fishers have told us they want support provided directly to them, funded by the Recreational Fishing Trust. As I said, \$2 million per year has been allocated to fund this infrastructure. There will be grants of up to \$200,000 for local groups. I was delighted to join a couple of fishing groups in the Bega electorate last week to make this announcement at Merimbula and at the waterway at Pambula. There is great excitement about this infrastructure being delivered directly to recreational fishers. I am also pleased to inform the House that one of the election commitments Labor made before forming government was that it would conduct an audit of the Recreational Fishing Trust. I am pleased to say that audit has been completed.

The audit found that money is being spent appropriately and the processes are working effectively. There are a few recommendations that we will accept and deliver on to improve and enhance some of the processes and the transparency around how that money is spent. I will have some details on that soon. Despite the audit finding that money is being spent appropriately, we have great plans to work closely with the recreational fishing community across New South Wales to get the local infrastructure—the small things—that recreational fishers want in their communities to make recreational fishing an even better pastime for recreational fishers across the State. We are getting on with that job.

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

Supplementary Questions for Written Answers

MANUFACTURING FOR SCHOOLS PROGRAM

The Hon. SARAH MITCHELL (14:31): My supplementary question for written answer is directed to the Minister for Domestic Manufacturing and Government Procurement. In relation to the Manufacturing for Schools program, will the Minister advise if any new tenders have been issued to replace the terminated contract with the APP Group? Will the Minister also confirm when the contract with APP Group was terminated, how much was paid to the APP Group as a result of the termination, and why the contract was terminated?

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.

CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION

SYDNEY METRO CITY AND SOUTHWEST

The Hon. DAMIEN TUDEHOPE (14:32): I take note of answers given by the Leader of the Government and the Deputy Leader of the Government. We found out today that the CFMEU has used its tentacles to reach right into the decision-making of the Labor Government caucus. There can only be one decision in relation to this Government having decided that it will no longer accept affiliation fees from the CFMEU. It is to ensure that members of the CFMEU—

The Hon. Anthony D'Adam: Point of order: The member is suggesting that an answer was provided to this question in the House. As I recall, the Leader of the Government took the question on notice and has

undertaken to provide an answer to the House. In that sense, the member is perhaps a bit too eager. He is anticipating an answer that has not yet been provided. Therefore, the member should not be making a contribution along the lines that he is making.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I read from Standing Order 69 (2), relating to take note of answers to questions:

Debate on the motion may canvass any answers to oral questions asked that day and any deferred answers, answers to written questions or written answers to supplementary questions.

From the Clerk's recollection and records, the member's question and supplementary question were both taken on notice, so no answer was provided. The member is out of order.

The Hon. DAMIEN TUDEHOPE: Thank you. Could I have the clock reset for my contribution to the take-note debate?

The Hon. John Graham: We would be comfortable with that. We would prefer that the time for the debate is not extended, but it seems reasonable to extend the member's time.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The delay was partly because I was seeking advice, so the Clerk will reset the clock.

The Hon. DAMIEN TUDEHOPE: I accept the ruling you have made. Maybe the member who took the point of order could have assisted the Leader of the Government with his involvement with and membership of the CFMEU.

The Hon. Stephen Lawrence: Point of order—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Clerk will stop the clock. I am not suggesting that the point of order the Hon. Stephen Lawrence is about to take will be frivolous, but I do not want points of order being taken simply to wind the clock down.

The Hon. Stephen Lawrence: I am not doing that at all.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I am not suggesting that you are. I just want to get that out into the open. I will now hear the point of order.

The Hon. Stephen Lawrence: It is essentially the same point of order. Everything that has been said by the member since your ruling seems to relate to the question and not to any answer given.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Damien Tudehope will continue.

The Hon. DAMIEN TUDEHOPE: The point that the question goes to is this: If there is any member of—

Ms Abigail Boyd: Point of order: This debate is to take note of answers, not to take note of questions. The Leader of the Opposition is flouting your ruling.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I draw the member's attention back to my previous ruling. The member has other opportunities to raise this point, perhaps as a private member's statement or in the adjournment debate. This debate is to take note of answers given today. There were no answers given to the member's question and, therefore, he cannot pursue this line. The member may choose to take note of any answer given today.

The Hon. DAMIEN TUDEHOPE: Perhaps more important were the answers given today by the Minister for Roads, representing the Minister for Transport. There is no doubt that the Government has bungled the opening of the metro, to the extent that an opening date was announced and new timetables were delivered for buses to take people to the new station. The Government refuses to admit that this bungle was brought about by the actions of the Fire Brigade Employees' Union in respect of a pay claim. They refuse to admit that they have no ability to open part of a project that was built and delivered by the previous Government. As the Hon. Rachel Merton eloquently pointed out in a wonderful opinion piece this morning, all this Government needed to do was open it, and it could not get that right. Good government would have said, "Tell me anything that can go wrong." This Government does not care about what can go wrong. It has no ability to deliver projects for this State.

WORKPLACE SAFETY
ROAD TOLLS REVIEW
SYDNEY METRO CITY AND SOUTHWEST

The Hon. EMILY SUVAAL (14:39): I take note of answers provided today by the Minister for Natural Resources, the Hon. Courtney Houssos, who talked about the importance of mine safety for workers and her recent visit to the Dartbrook underground mine. That mine will create some 100 jobs for the area, which is really welcome in the Hunter Valley, which has high-quality, low-emission coal. It is the largest regional centre in terms of its local economy, and it powers the State with the coal that is extracted and, indeed, exported. In terms of mine safety and workers, I particularly take note, in Rail Safety Week, of the train drivers who transport thousands of tonnes of coal every day from the mines in the Hunter to the Port of Newcastle, where they are exported overseas. Each one of those trains carries approximately \$1.6 million worth of coal, and the train drivers sometimes operate in somewhat challenging conditions. I thank them for the work they do. I also thank the Resources Regulator for the work it does in ensuring the safety of workers, particularly in underground mines, as the Minister highlighted.

I also take note of answers provided by Minister John Graham in his capacity as the acting transport Minister. In taking note of his answers, I say what I have said before: We are all human beings. We are not robots in this place. We all need a break at times, and I know that very well. As a mother with young children, I acknowledge the Minister for Transport in the other place for the hard work and long hours that she puts into the job. I commend her work as someone who is also juggling an office and a young family, and all of the competing demands that that brings. For someone to slight her for taking leave is an absolute disgrace, and it reflects poorly on this House and the conduct of the member who did so.

FIRST HOME BUYERS
MODULAR HOUSING

Ms ABIGAIL BOYD (14:42): I take note of the answers given by the Hon. Rose Jackson in relation to this Government's approach to housing and, in particular, the comments about innovation in finding solutions to the current housing crisis. What is not innovative is the continued failure of this Government to sign on to the National Construction Code minimum accessibility silver standard requirements in line with the rest of the nation, except for Western Australia. We have been campaigning on this for a very long time. Just today there was a rally outside Parliament House of people in the Building Better Homes campaign, who have been arguing for a long time for those accessibility standards to be adopted for all new builds across New South Wales.

They are really frustrated because, although we talk a lot about building homes, and although I have heard the Minister for Housing talking about how social homes are likely to have the minimum accessibility standard attached, unlike all other States, we are not going to mandate that all new builds in this State are accessible for people with disability and mobility needs. For anyone who wants to grow old in their own home, or for anyone who has a friend wanting to visit them who cannot get up a flight of stairs to get through the front door, the minimum accessibility requirements are really basic.

As I say, the requirements are not a problem in other States and Territories, except New South Wales and Western Australia. Building companies are building accessible homes in the Australian Capital Territory, Queensland and Victoria, but when it comes to New South Wales, apparently it is too expensive for them to do that. That absurdity continues. The longer it continues, the more I think it is purely to do with the Property Council and nothing to do with the cost of housing or any real obstacles to doing what is right. It is an absolute affront to put a person in a wheelchair on one of the front covers of the budget documents and then not do this most basic thing to ensure accessibility for the 1.37 million people in New South Wales with a disability. It is untenable. I do not understand why this Government refuses to do that most basic thing. It cannot talk about innovation when it cannot even do that.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. SCOTT FARLOW (14:45): I take note of answers given today by the Minister for Roads and Deputy Leader of the Government, very much in his capacity as the acting Minister for Transport while the Minister of Transport was away. She left him a huge hospital pass when it came to the opening of the metro. We have heard that there were asterisks all around the opening date, but on the big "ask me" signs of the people standing in Martin Place, there were no asterisks. When it came to the changes to the bus timetable, there was no asterisk attached. The date set was 4 August. That is what the Minister exclaimed in big lights on her social media page, "The metro is opening on 4 August." That program was largely built, funded and constructed by the Coalition while it was in government. All that was needed from the Labor Party when it came to government was to cut the ribbon, and it has not been able to do that.

Even though it was blared across the media that the firies union was agitating on the project and using it as part of its industrial campaign against the Minns Government, the Minister still did not give any indication to the Premier that there was a code red problem with the opening of the metro. We see yet again that this Government has bungled and mismanaged even the simplest of things in opening the metro. There is no discredit to the Hon. John Graham. He was the acting Minister at the time. But the Minister for Transport gave him a huge hospital pass. There was not much to be done but, yet again, the Minns Government has failed to deliver for the people of New South Wales. It is not delivering for any function that the Hon. Natalie Ward may have put on. It is to deliver for the people of New South Wales, who are now working with bus timetables that are in chaos because a metro was supposed to be open.

People had set in the date. I was talking to residents in Glenwood at the weekend. One of them raised with me that they had a daughter who had an exam this week and that she was planning to catch the metro from Bella Vista to her exam. The mother said that she now has to change her timetable around to drive her daughter in for that examination because of the changes to the timetable. Those are real people who had pencilled in the date of 4 August. They were expecting it to open, yet we have heard no further clarity from the Government today about the metro opening, which people have been waiting for. Yet again, that is because of the unions, which have a stranglehold over this Government.

MODULAR HOUSING

The Hon. STEPHEN LAWRENCE (14:48): I take note of the answers given by the Hon. Rose Jackson, the Minister for Housing in respect of modular housing. I was very interested to hear about the two trial locations in parts of regional New South Wales. This is a really important solution because in many parts of regional New South Wales we see, on quite a regular basis, an influx of workers for a particular need. For example, we might have overseas workers come in and perform certain tasks or indeed we might have domestic workers come because of things happening in the mining sector or construction projects, and so forth. I have certainly seen that in the Central West and it poses real issues for the housing market. It can really squeeze people and push up rents when vacancy rates are historically low in large parts of regional New South Wales.

In my view, modular housing provides innovative opportunities to respond to those fluctuations in a way that does not involve all of the same expense or necessarily the same planning issues as regular housing, which is really important. As the Minister suggested, modular housing is part of a package of reforms that this Government has committed to in the housing space that are a result of the election. These are policy initiatives that the other side of politics would simply have never done—for example, investing \$5.1 billion in public housing. That is the biggest single investment by a government in public housing in the history of Federation. The other side of politics would never have done that. That investment in public housing is a consequence of the election of a Labor Government.

In that context, I also point out the rental reforms that have just been announced. The prime issue is the end of no-grounds evictions. That reform will put downward pressure on rents. We all know what has been happening. People who are in the rental market receive a no-grounds eviction notice, so they move out and then they see the same property advertised on the internet for double the price or 30 per cent more. That has been a lawful mechanism that has allowed dramatic increases in rent. The end of that will put downward pressure on rent and it will not cause any significant hardship for landlords because all the justifiable reasons for ending a lease will still exist. Landlords can still rent out the property, move in their own family or undertake extensive renovations, but they will not be able to throw people out simply for the purpose of putting up the rent.

CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

The Hon. JOHN RUDDICK (14:51): I take note of the response by the Minister for Energy to my question relating to renewable energy zones, which should be known as the unreliable energy zones. The Minister's answer is disheartening, particularly for the ignored and unheard rural and regional communities, but it was not surprising. The legislation clearly states the Minister may make a declaration of a Renewable Energy Zone only if the Minister has considered the views of the local community. In the Central West of New South Wales, a mere six submissions were received. Who made those submissions is opaque, but no locals or local groups made a submission. It is quite possible the New South Wales Government has breached legislation.

The Government was meant to alert locals and encourage submissions to hear of their concerns, but the public simply were not made aware. Perhaps there was a notice on a government website, but it was so obscure that no-one knew about it. I doubt that was an oversight—it was a public relations strategy to minimise publicity. The views of the local farmers, who have spent their lives caring for and bettering their land and feeding the nation, have not been considered. The central planners just want to bulldoze this needless monstrosity through. Rural and regional communities in the five declared Renewable Energy Zones across New South Wales are overwhelmed by questions and concerns. They have concerns around roads and traffic, bushfire risk, firefighting

impediments, impacts to ground and surface water sources, the loss of valuable land producing food and fibre, pollution and contamination of water and soils, noise and visual amenity, health and welfare of people and livestock, public liability risk for neighbouring landowners, erosion, biodiversity and fundamental damage to once cohesive rural communities.

Regional hospitals have significant existing service problems, including limited availability and substantial wait times, sometimes resulting in a code black. How will these already stretched hospitals cater for the influx of thousands of temporary workers required for these grand schemes? Communities with numerous large-scale projects are being denied detailed assessments around noise and visual impacts, even when there are clear thresholds stipulated in the guidelines. Will the people of New South Wales be alarmed to discover the New South Wales Government passed the Climate Change (Net Zero Future) Bill late last year, but omitted one clause of the Paris Agreement that seeks to protect food production? The so-called rapid transition to renewable energy means the industrialisation of scenic farmland, irreparably damaging rural and regional New South Wales, and endangering both food and energy security for all of us. The renewable energy zones are hugely expensive and are a huge upheaval for local communities but, worst of all, it is all pointless. Carbon dioxide is 0.04 per cent of the atmosphere. It is plant food. It has no correlation to atmosphere temperature. This Chamber is under the spell of the global warming hoax, and it is causing suffering in the real world.

MODULAR HOUSING

The Hon. CAMERON MURPHY (14:54): I take note of the answer given by the Minister for Housing to a question I asked. I was really interested to learn that the modular housing trials will be taking place in regional New South Wales. It is often forgotten that the housing crisis we are in is not just a crisis around Sydney. It affects regional New South Wales in many ways in a bigger way than it does in Sydney because people in regional or rural locations do not have many options. It is very difficult for people in a small town who are heavily reliant on a car for transport because there is no available public transport or, if there is, it is very infrequent. It is very difficult for people to find alternatives, which is why I am very impressed that this Government has a clear focus on solving the housing crisis not just in Sydney but throughout the entire State, including regional New South Wales.

In terms of housing, not so long ago I was in the Auburn electorate talking to the local member, Lynda Voltz, MP, about the myriad issues that contribute to the housing crisis. As we all know, one of them is that housing will be high density to solve the problem. But as part of that solution of providing high density development in apartments, we need to ensure that in both public and private housing developments, apartments are appropriate for the type of people who will reside in them. For example, in Auburn, multigenerational families live together in the same accommodation—grandparents, parents and children.

In some parts of the Auburn electorate very large families have nine or more children. Stock standard one- or two-bedroom apartments will not provide an appropriate solution. If we are going to solve the housing crisis and get people into high density accommodation, we need a range of options, particularly from private developers, so we have appropriate accommodation that will cover everything from small apartments for individuals right through to large family-size apartments. Modular housing being trialled in rural areas is great. We should think about a similar type of modular housing for apartments in high density areas in the city.

KOALA RESEARCH

The Hon. MARK BANASIAK (14:57): I take note of the answer given by the Hon. Penny Sharpe to my question. I thank her for providing some detail, but if we step back and look at the process, there is deep concern about how this is being done. No-one in regional and rural communities or in industry knew that this consultation process was going ahead. Many of them stumbled upon it by accident. It is no significant thing that we are considering changing. Essentially, we are adding a species to a list that will basically state that, if there are concerns about this species, any development will be knocked on the head. The impact on regional and rural development is of serious concern. The fact is that no-one from farming, forestry, agriculture, or mining et cetera knew about this. They stumbled upon it by accident.

People had until 29 July to respond. I have been credibly informed that the response date has been extended to 5 August and extended again to 16 August, but that is not on the website. To find that on the website is, as members can imagine, quite difficult because it is buried. When it is found, it lists the details of what people are supposed to address in their submissions. It references the 2020 inquiry into koala populations as the first and foremost point, but it makes no reference to expert data from scientists like Dr Brad Law or from the CSIRO, which recently published from its national koala monitoring program that the numbers of koalas is probably 10 times larger than anticipated.

It is a farce to put koalas on a list of matters that will impact development and then say that the two are irreconcilable in terms of increased population. Clearly, the data from expert scientists from the CSIRO, and from Dr Brad Law, say that even under the most trying conditions we have had—flood, drought and other natural disasters—the koala populations have not only been sustainable but have grown. To go through this process, where the information is buried—"Don't tell anyone about it"—is a real concern. The greenwashed 2020 inquiry of this place shows, at least from the perception of those looking in from outside, that there is inherent bias right from the get-go with the consultation process. I urge the Minister to perhaps insert some balance into the information that is provided on this website by adding what the real expert scientists are saying about koala populations.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. RACHEL MERTON (15:00): I take note of the answer from the Leader of the Government about the Labor Government's failure to open the Sydney Metro on time. This is not a logistical oversight but a clear indication of deeper systemic issues within the current administration, particularly its susceptibility to union influence. I note that the \$24 billion Sydney Metro is set to be a transformative infrastructure project. It is a proud, visionary legacy of the former Coalition Government and it will revolutionise public transport. I thank my colleague the Hon. Natalie Ward, who served as the Minister in the previous Government, for her work in delivering this infrastructure, together with many other Ministers who made it happen. The project promises to ease congestion, provide faster commutes and enhance the overall efficiency. We even read in the newspaper of international tourists timing their visit to Sydney to ride and to witness the metro. As I wrote in today's Telegraph:

At least Labor premier Jack Lang had the sabrewielding Captain de Groot to blame when he was unable to cut the ribbon at the official opening of the Sydney Harbour Bridge in 1932.

One of the most glaring reasons that the metro is not running today is the unexplained and undue influence of unions. The unions have a significant grip on this Government. Their demands, the interference, the pay deals, the unnecessary delays and the inflated costs are not new phenomena. In the case of the Sydney Metro, the union's demands and the pay disputes halted the progress instead of standing firm—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order! Pursuant to standing orders debate is interrupted to allow the Minister to respond.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (15:02): I place a number of views on the record, particularly in relation to the Sydney Metro opening. It is of interest to the public so it is important to focus on it. In question time I mentioned some of the comments that the Minister made at the time that announcement was made about the target opening date, because they are important for context. I thank the Minister, her office and all the Transport team, who have been working very hard—around the clock, at times—to get the system open.

Some of the questions and comments today indicated a bit of a misunderstanding about what was described at one point by the Opposition as "even the simplest of things, opening a metro rail line". That betrays exactly the attitude, but also the misunderstanding, about what is involved. It is very complex; there is no getting around that. The massive Transport teams putting it into place cannot simply change bus timetables that have been set weeks before, cannot sack people who have been rostered on to hand out information, and cannot stand down commissioning teams who have been working to this deadline for a long period of time. To put it gently, I simply say that there is some misunderstanding about the significant logistical exercise that is involved. Having said that, today the Premier, the Minister and I have been up-front that it has been a lesson for the Government. We are upset about the impact on the public, but the metro will open shortly. Those things are all important to reiterate. There is significant public interest in the opening, and I think there will be significant enthusiasm as it starts to operate.

I spoke about the Opposition's record, which I will mention briefly. The XPT replacements were delayed by more than three years and those trains are still not on the tracks. To be lectured by a team who caused the new intercity fleet rollout to be more than four years late—it is still not on the tracks—is quite remarkable. Think about the Sydney Light Rail, which was years late, and the businesses that were devastated by that. I do not blame the Hon. Rachel Merton. I read her article with interest today. But when she was talking about projects like the Great Western Highway tunnel—the longest tunnel proposed in Australia's history—or the northern beaches link motorway, she did not mention that both of those projects were worth well north of \$10 billion.

There was no money in the State budget for those projects. Only \$1 million was budgeted for the northern beaches motorway. It was a hoax on the population of those areas, and it was a hoax that this Government was

not prepared to continue. That is the truth about those projects. I do not blame the member because she was not here at the time, but it is important to place those things on the record. With that record—the XPT replacements, the intercity fleet, the light rail and those two major road projects—it is a bit hot to have those accusations made about a short delay in the opening of this project. Although it has attracted significant attention, it is a short delay for safety reasons, in Rail Safety Week. That is the view of the Government. It is a delight to welcome members back. It has, once again, been a robust question time. I commend the motion to the House.

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

Motion agreed to.

Deferred Answers

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. DAMIEN TUDEHOPE** (4 June 2024).

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

I am advised:

New South Wales Government contracts with the domestic violence service providers for 118 workers as part of the National Partnership on Family, Domestic and Sexual Violence new workers initiative are expected to be in place by 30 June 2024. The Government estimates the 118 workers will commence in roles by September 2024, subject to recruitment challenges experienced by service providers.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. DAMIEN TUDEHOPE** (4 June 2024).

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

I am advised:

Most New South Wales Government contracts with the relevant domestic violence service providers are expected to be in place by 30 June 2024. The Government estimates the 118 workers will commence in roles by September 2024, subject to any recruitment challenges experienced by service providers.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. SARAH MITCHELL** (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 Department of Communities and Justice is undertaking a tender process. It expects NGOs will be able to recruit and deploy workers by the end of September 2024. No further information can be disclosed until the tender process is finalised.

CONSERVATION HUNTING

In reply to **The Hon. ROBERT BORSAK** (4 June 2024).

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

(1) The Government is currently considering this request, however there is no date set at this time.

DOMESTIC AND FAMILY VIOLENCE

In reply to **The Hon. NATALIE WARD** (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 Hon. Natalie Ward requested a copy of the National Partnership Agreement on domestic violence between New South Wales and the Commonwealth, including any variations insofar as they relate to the funding and timing for the recruitment and deployment of the 118 additional domestic violence workers.

I provided the Hon. Natalie Ward and the House with the version requested.

DOMESTIC AND FAMILY VIOLENCE

In reply to **The Hon. NATALIE WARD** (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 Hon. Natalie Ward requested a copy of the National Partnership Agreement on domestic violence between New South Wales and the Commonwealth, including any variations insofar as they relate to the funding and timing for the recruitment and deployment of the 118 additional domestic violence workers.

I provided the Hon. Natalie Ward and the House with the version requested.

DOMESTIC AND FAMILY VIOLENCE

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:

New South Wales submitted the project plan to the Commonwealth on 22 April 2024. The Commonwealth approved this plan on 1 May 2024. On 7 June 2024, New South Wales received its first payment of \$25.8 million.

DOMESTIC AND FAMILY VIOLENCE

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 Department of Communities and Justice provides updates to the Commonwealth as required. A progress report was provided to the Commonwealth in April 2024, which included an update and anticipated timelines.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. SARAH MITCHELL** (5 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 tender documents for the "NPA - Family Domestic and Sexual Violence – Frontline Workers Allocation" require successful tenderers to allocate funding to new workers.

Successful tenderers are required to provide regular updates to the Department of Communities and Justice about its service delivery activity.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. SARAH MITCHELL** (5 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:

As of 31 May 2024, six workers (equivalent to four FTE workers) have commenced delivering services.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. NATALIE WARD** (5 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 February report provided to the Commonwealth, and tabled in the House, was point-in-time. Since submitting the February report, the department revised its timelines in the anticipation that that non-government organisations will be in a position to recruit and deploy remaining workers by September 2024.

DOMESTIC AND FAMILY VIOLENCE WORKERS

In reply to **The Hon. NATALIE WARD** (5 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 February report provided to the Commonwealth, and tabled in the House, was point-in-time. Since submitting the February report, the department revised its timelines in the anticipation that that non-government organisations will be in a position to recruit and deploy remaining workers by September 2024.

DOMESTIC AND FAMILY VIOLENCE

In reply to **The Hon. BRONNIE TAYLOR** (5 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 expansion of SHLV to new local government areas requires local consideration and analysis to ensure services are tailored to and best meet the needs of the communities they will be supporting across regional and remote New South Wales.

The Department of Communities and Justice has commenced analysis to support the expansion of SHLV including identifying demographic need, and availability of specialist DFV and general services.

MAITLAND SHOWGROUND

In reply to **The Hon. DAMIEN TUDEHOPE** (6 June 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 approved a grant of \$84,000 to the Maitland Showground on 28 January 2024 as part of the Local Small Commitments Allocation program. In doing so, I was advised by the LSCA program office. I have already tabled approval paperwork in relation to a number of approved projects. That process will continue. I indicate that the approval paperwork for that project will also be tabled in the House and will be available for members to inspect.

DOMESTIC AND FAMILY VIOLENCE

In reply to **The Hon. SARAH MITCHELL** (6 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:

The review commenced on 20 May 2024.

ENERGY TRANSITION

In reply to **The Hon. ROD ROBERTS** (6 June 2024).

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

When I delivered my ministerial statement on 4 June 2024, AEMO Services had announced the results of three Roadmap tenders. According to AEMO Services, the generation projects (i.e. wind and solar) that were awarded Long Term Energy Service Agreements across Tenders 1 and 3 are expected to produce enough clean energy on average over a year to be equivalent to the consumption of 1,060,000 households on average over a year. This includes peak and off peak periods. This variable renewable energy generation is being backed by firming infrastructure and long-duration storage projects also supported by the Roadmap.

ENERGY TRANSITION

In reply to **The Hon. ROD ROBERTS** (6 June 2024).

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

As set out in my answer to question No. 184, when I delivered my ministerial statement on 4 June 2024, AEMO Services had announced the results of three Roadmap tenders. According to AEMO Services, the generation projects that were awarded Long Term Energy Service Agreements across Tenders 1 and 3 are expected to annually produce clean energy equivalent to the annual consumption of 1,060,000 households.

This figure is calculated by dividing the estimated total annual electricity generation of wind and solar projects by the average New South Wales household consumption. The annual electricity generation estimates for the solar and wind projects were submitted as part of the tender evaluation process. The average New South Wales household consumption is assumed to be 5,783 kWh per year, which is the customer weighted average of all New South Wales Distribution Network Service Providers using data collected by the Australian Energy Regulator via Regulatory Information Notices.

DOMESTIC AND FAMILY VIOLENCE

In reply to **The Hon. NATALIE WARD** (6 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 Domestic and Family Violence emergency funding package includes \$48 million over four years to expand the Staying Home Leaving Violence [SHLV] program and Integrated Domestic and Family Violence Service [IDFVS], as per the written answer on 30 May 2024.

This investment includes a commitment to ensuring that SHLV is delivered statewide, with services covering all local government areas [LGAs] across New South Wales.

SPECIALIST DOMESTIC VIOLENCE WORKERS

In reply to **The Hon. JACQUI MUNRO** (6 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 Department of Communities and Justice is undertaking a tender process. Information about the tender process, including where workers will be allocated, cannot be disclosed until the tender process is finalised.

NATIVE FORESTRY

In reply to **The Hon. MARK BANASIAK** (18 June 2024).

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

Public native forestry in New South Wales is authorised and regulated under the Forestry Act 2012 [the Act]. Under the Act (section 69P), an Integrated Forestry Operations Approval [IFOA] may apply or adopt protocols, codes, standards and other instruments in force from time to time, including those prepared by the EPA.

The Coastal IFOA, which is jointly made and amended by the Minister for the Environment and the Minister for Agriculture in accordance with section 69R of the Act, specifically references the IFOA protocols it has adopted, and that they can be amended by the EPA from time to time. Neither the Act nor IFOA specify a process or consultation requirements for the EPA amending an IFOA protocol. However, the EPA consults the Forestry Corporation of NSW on any changes to ensure any changes can be implemented and do not have unreasonable commercial impacts.

An IFOA protocol is not a Protection of the Environment Policy [PEP] under the Protection of the Environment Operations Act 1997 [POEO Act]. As such, the requirements under the POEO Act in relation to making or amending PEPs do not apply to making or amending an IFOA protocol.

A PEP is a discrete regulatory instrument made for the purpose of declaring policies to be observed by public authorities with respect to protecting the environment, and furthering the objectives of the EPA as set out in section 6 of the Protection of the Environment Administration Act 1991, or to manage the cumulative impact on the environment from existing and future human activities. There are no PEPs that currently apply to native forestry operations.

KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT

In reply to **The Hon. ROBERT BORSAK** (18 June 2024).

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

The cost of implementing the Kosciuszko National Park Wild Horse Management Plan (the Plan) is estimated to be:

- 24 November 2021 to 30 June 2022: \$780,414.59 (339 horses removed)
- 2022 – 2023 financial year: \$1,206,131.53 (1,274 horses removed)
- 1 July 2023 – 18 June 2024: \$6,307,433.31 (7,247 horses removed)

The total cost since the commencement of the plan in November 2021 – 18 June 2024 is \$8,293,979.43 (8,860 horses removed).

The calculation of these amounts has involved the apportionment of some shared costs, which necessarily involves a best estimate.

The expenditure identified above has delivered benefits beyond the removal of horses – for example, other feral animals such as deer, pigs and dogs are controlled during relevant operations.

The expenditure identified will generate significant savings (avoided costs) in future years through a reduction in the ecological damage to Kosciuszko National Park caused by horses. It can also be expected to generate significant economic benefits to the local community, including the tourism industry, through a healthier national park.

KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT

In reply to **The Hon. ROBERT BORSAK** (18 June 2024).

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

As noted in answer to question without notice number 189, the total cost since the commencement of the plan in November 2021 - 18 June 2024 is \$8,293,979.43 (8,860 horses removed).

The likely total cost of the program into the future cannot be definitively calculated at this time as there will be ongoing costs to maintain the horse population at 3,000 horses consistent with the Kosciuszko National Park Wild Horse Heritage Management Plan.

I am happy to keep the member and the House updated into the future as to costs incurred.

ACTIVE SUPER FUND

In reply to **The Hon. BRONNIE TAYLOR** (18 June 2024).

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

I am advised:

The ASIC proceedings did not make any findings against the directors of the Active Super trustee, but findings were limited to LGSS Pty Ltd. On the facts, ASIC decided to limit its case to actions by employees of Active Super.

GENERAL PRACTITIONERS

In reply to **Dr AMANDA COHN** (18 June 2024).

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources)—The Minister provided the following response:

I am advised:

As general practice registrars are not employees of the New South Wales health system, they are not eligible for incentives under the Rural Health Workforce Incentive Scheme.

Information about who is eligible to receive incentives under the scheme is on the NSW Health website at www.health.nsw.gov.au/careers/imagine-rural/Pages/rhwis.aspx#eligible.

SADLEIR COMMUNITY CAFE

In reply to **The Hon. MARK LATHAM** (20 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:

I understand that the assistance that Saddleir Community Café provides is welcomed by the community and I applaud their work.

Homes NSW works with non-government organisations to support people with social housing and homelessness services. Homes NSW has established a connection with the community cafe and the cafe is welcome to continue to build the connection.

ILLAWARRA OFFSHORE WIND ZONE

In reply to **The Hon. TANIA MIHAILUK** (20 June 2024).

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

The NSW Department of Climate Change, Energy, the Environment and Water has not undertaken any preliminary studies on the potential impact and cost of onshore and associated infrastructure for the Illawarra offshore wind zone.

If awarded by the Australian Government, feasibility licence holders will be required to conduct detailed studies to determine the impacts of the connecting infrastructure, and to propose appropriate mitigation measures for consideration under the New South Wales and Commonwealth regulatory regimes

Written Answers to Supplementary Questions

ILLAWARRA OFFSHORE WIND ZONE

In reply to **the Hon. MARK LATHAM** (20 June 2024).

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

Between 9 June and 22 July 2022, EnergyCo ran a Registration of Interest [ROI] process for the Illawarra REZ. The Illawarra REZ ROI attracted a significant response including eight offshore wind projects. The department has not received any proposals relating to the offshore wind in the Illawarra since this time. As potential projects would sit in a Commonwealth jurisdiction they are taking the lead on proposals for offshore wind development.

HOUSING AFFORDABILITY

In reply to **the Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources)** (20 June 2024).

The Hon. SCOTT FARLOW—The member provided the following response:

It is my intention to debate the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024 in the Legislative Council in the fullness of time, subject to the deliberations of the Business Committee to determine business before the House on private members' day.

The Minister for Finance would be aware that consideration of items of business to be debated on sitting days where private members' business takes precedence are determined by the Business Committee on a Tuesday evening of each sitting week. I, like all members, do not determine either the content or order of business to be debated on a sitting day. There are 45 bills in this current session that have been introduced by private members, as the Minister is aware there is significant interest from all members in having their bills debated before the House.

However, unlike the member, I have actually given notice and second read a private members' bill, of which the content of the bill is available to all members and the public at large and of which I intend to seek to debate in the Legislative Council in due season. The member will no doubt fondly remember the member's Dairy and Fresh Food Price Advocate Bill 2019, which was given notice of on Wednesday 7 August 2019, of which she never second read and no copy of the text of such a bill is available. The next sitting week, which the member asks about, in fact marks the five year anniversary of notice being given for the member's Dairy and Fresh Food Price Advocate Bill 2019 on Wednesday 7 August 2024.

Now that the member is in Government, after her wanton neglect of her only private members' bill to be given notice of, I am sure that she will seek to remedy her neglect by seeking to introduce a bill with the long title of "producing An Act to create of Dairy and Fresh Food Price Advocate and to provide for the objectives and functions of that office; and for related purposes", of which the member obviously has been so passionate about since Wednesday 7 August 2019. Unlike a private member, the member as a Minister in the Government has significant control over the order of business before the House on days where Government Business takes precedence and I am no doubt sure that given her passion and commitment to this issue that she will do all in her power to remedy her neglect with respect to the Dairy and Fresh Food Price Advocate Bill 2019 as part of the Government's legislative agenda in the next sitting week.

ILLAWARRA OFFSHORE WIND ZONE

In reply to **the Hon. TANIA MIHAILUK** (20 June 2024).

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

Commonwealth and State ministerial offices communicate on a range of issues. Minister Bowen's office reached out regarding the Commonwealth's declaration of the Illawarra offshore wind zone on Wednesday 12 June, 2024. For clarity, the Commonwealth's announcement pertains to a zone within which potential proponents can apply for feasibility licenses rather than the declaration of a windfarm itself.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I shall now leave the chair. The House will resume at 4.00 p.m.

Notices

PRESENTATION

[During the giving of notices of motions]

The PRESIDENT: I note new rules will be coming in about this issue next week. I ask the member to give a brief indication of what the notice of motion is about.

*Business of the House***POSTPONEMENT OF BUSINESS**

The Hon. PENNY SHARPE: I postpone Government business notices of motions Nos 1 and 2 until a later hour of the sitting.

The Hon. PENNY SHARPE: On behalf of the Hon. Tara Moriarty: I postpone Government business order of the day No. 1 until a later hour of the sitting.

*Committees***PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE****Reference**

Ms ABIGAIL BOYD: According to paragraph (8) of the resolution establishing the Public Accountability and Works Committee, I inform the House that on 21 June 2024 the Public Accountability and Works Committee resolved to adopt the following terms of reference:

Western Sydney Science Park and Aerotropolis developments

- (1) That the Public Accountability and Works Committee inquire into and report on the impacts of the Sydney Science Park and the aerotropolis developments on Western Sydney, including:
 - (a) the impacts of these developments on planning, land use, public works, employment, the environment and transport;
 - (b) lessons for current Government policy in relation to these developments and Western Sydney more broadly; and
 - (c) any other related matter.
- (2) That the committee report by 13 December 2024.

PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW**Reference**

The Hon. MARK BANASIAK: According to paragraph (6) of the resolution establishing the portfolio committees, I inform the House that on 30 July 2024 Portfolio Committee No. 4 - Regional NSW resolved to adopt the following terms of reference:

Impact of the phase-out of Australian live sheep exports by sea on New South Wales

That Portfolio Committee No. 4 - Regional NSW inquire into and report on the impact of the phase-out of Australian live sheep exports by sea on New South Wales, considering the economic and social implications of such a phase-out on regional New South Wales communities and the animal welfare considerations relevant to the phase-out, and in particular:

- (a) evaluate the economic impact of phasing out live sheep exports on New South Wales sheep producers and related supply chains in regional towns, including:
 - (i) transport operators;
 - (ii) fodder and grain producers; and
 - (iii) other associated industries.
- (b) evaluate the impact on the sheep industry in New South Wales if farmers are unable to restock with animals from Western Australia;
- (c) evaluate the price implications on New South Wales sheep and lamb producers of having stock from Western Australia regularly sold at our sales;
- (d) examine whether the phase-out of live sheep exports by sea will have any impact on New South Wales government revenue and bottom line;
- (e) examine potential implications in demand for New South Wales mutton after the phase-out of the live sheep trade;
- (f) examine reasons used by the Federal Government for the phase-out of Australian live sheep exports by sea and whether the Federal Government should provide compensation to New South Wales sheep producers;
- (g) examine animal welfare concerns relevant to the determination to cease live sheep export by sea by the Federal Government;
- (h) examine the impact on local meat processors;
- (i) examine proven alternative markets and opportunities for New South Wales sheep producers;
- (j) explore the social and community impacts of income loss for New South Wales sheep producers, including the evaluation of support mechanisms for affected communities;
- (k) analyse potential economic losses from the phase-out and the impact on employment across regional New South Wales, including but not limited to transport, contract musters and veterinary suppliers;
- (l) identify case studies of graziers in other regions or countries that have successfully transitioned from live exports;

- (m) examine alternative income streams for New South Wales sheep producers;
- (n) examine community views in New South Wales of the live export industry; and
- (o) any other related matters.

PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW

Reference

The Hon. MARK BANASIAK: According to paragraph (6) of the resolution establishing the Portfolio Committees, I inform the House that on 30 July 2024 Portfolio Committee No. 4 - Regional NSW resolved to adopt the following terms of reference:

Impact of renewable energy zones [REZs] on rural and regional communities and industries in New South Wales

That Portfolio Committee No. 4 - Regional NSW inquire into and report on the impact of renewable energy zones [REZs] on rural and regional communities and industries in New South Wales, and in particular:

- (a) current and projected socio-economic, cultural, agricultural and environmental impacts of projects within renewable energy zones in New South Wales, including the cumulative impacts;
- (b) current and projected considerations needed with regard to fire risk management and containment and potential implications on insurance for landholders and/or project proponents in and around renewable energy zones;
- (c) the historical, current and projected future financial costs associated with construction and maintenance of large-scale projects within renewable energy zones;
- (d) proposed compensation to regional New South Wales residents impacted by renewable energy zone transmission lines:
 - (i) adequacy of compensation currently being offered for hosting transmission lines;
 - (ii) adequacy of the shared benefits being offered to neighbours of large-scale renewable projects; and
 - (iii) financial impact of compensation on the State's economy.
- (e) adequacy and management of voluntary planning agreements and payments made to the local government areas impacted by renewable energy zones;
- (f) current and projected supply and demand levels of manufactured products, raw materials and human resources required for completion of renewable energy zones and their source;
- (g) projected impact on visitation to regional areas with renewable energy zones resulting from changes to land use;
- (h) suitable alternatives to traditional renewable energy sources such as large-scale wind and solar;
- (i) adequacy of community consultation and engagement in the development of renewable energy zones and associated projects;
- (j) how decommissioning bonds are currently managed and should be managed as part of large-scale renewable projects;
- (k) the role and responsibility of the Net Zero Commission and commissioner in addressing matters set out above; and
- (l) any other related matters.

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Extension of Reporting Date

Ms ABIGAIL BOYD: According to paragraph (6) of the resolution establishing the portfolio committees, I inform the House that on 16 July 2024 Portfolio Committee No. 3 - Education resolved to extend the reporting date for its inquiry into children and young people with disability in New South Wales educational settings to 21 August 2024.

PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT

Extension of Reporting Date

Ms SUE HIGGINSON: According to paragraph (6) of the resolution establishing the portfolio committees, I inform the House that on 24 July 2024 Portfolio Committee No. 7 - Planning and Environment resolved to extend the reporting date for its inquiry into the development of the Transport Oriented Development Program to 15 October 2024.

PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW

Extension of Reporting Date

The Hon. MARK BANASIAK: According to paragraph (6) of the resolution establishing the portfolio committees, I inform the House that on 30 July 2024 Portfolio Committee No. 4 - Regional NSW resolved to extend the reporting date for its 2023 inquiry into the operation of the approved charitable organisations under the Prevention of Cruelty to Animals Act 1979 to 30 November 2024.

PRIVILEGES COMMITTEE

Extension of Reporting Date

The PRESIDENT: According to paragraph (3) of the resolution establishing the Privileges Committee, I inform the House that on 5 August 2024 I extended the reporting date for the inquiry into the recommendations of the ICAC arising out of Operation Keppel to 6 September 2024.

Documents

TABLING OF PAPERS

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

- (1) Report of Endgame Economics entitled *The impact of Eraring closure: Modelling outcomes for the electricity market under Eraring closure date scenarios*, dated 2 July 2024;
- (2) Correspondence from ICA Partners Pty Limited to the Crown in right of the State of New South Wales concerning extending the operations of the Eraring power station, dated 2 July 2024; and
- (3) Document prepared by the Department of Climate Change, Energy, the Environment and Water entitled *Advice regarding the Generator Engagement Project Agreement*.

Ministerial Statement

ERARING POWER STATION

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:35): In June I tabled a copy of the agreement reached between the New South Wales Government and Origin Energy regarding the temporary extension of the Eraring Power Station. At that time I outlined to the House how that agreement was entered into following a comprehensive and confidential government process. As part of that process, the Government received and relied on various pieces of advice. While I cannot provide all of those documents as they are subject to Cabinet in confidence, I committed to provide this House with summaries of the key pieces of advice that informed the Government's decision. I am pleased to be able to provide those documents to the House today. This Government is committed to transparency. I said all along that I would seek to make as much information publicly available as possible, and that is what we are doing today.

The documents make clear that the two-year extension of Eraring was necessary to maintain reliability and prevent price spikes as we deliver the renewable energy transformation that will power New South Wales into the future. They also make clear that the agreement with Origin represents value for money for New South Wales taxpayers. The Government has made the right decision for New South Wales. It considered the options and sought advice from the experts. Negotiations were conducted under a proper process, with updates to Ministers at relevant decision points and away from political interference.

Despite some of the misinformation that was peddled by the Opposition in the lead-up to the extension of Eraring, we have made the right decision and been utterly transparent all the way through. We made the summary of the agreement public the day after it was signed. I tabled the agreement itself in this House in June, and I am tabling summaries of the key pieces of advice that informed the agreement today. This is what open, honest and transparent government looks like. We made the right calls, and we are happy to own them.

Members should know three things arising from this decision. First, the Government is willing to make tough decisions in order to keep the lights on and prices down. Secondly, we are committed to a well-functioning energy market based on transparency. Finally, we are committed to transitioning New South Wales to a State powered by renewable energy, the cheapest form of energy to replace our coal-fired power stations. This agreement gives New South Wales the time to undertake the next step in this transition so we can get enough projects in the ground to replace Eraring and deliver the low-cost renewable energy that New South Wales needs.

The Hon. SCOTT FARLOW (16:38): I thank the Minister for her address and for tabling the documents, but the documents tabled today from ICA Partners and from Endgame Economics are dated 2 July 2024. That is 40 days after 22 May 2024, the day the Minister for Energy signed up the New South Wales taxpayer to liabilities that could total over half a billion dollars. So these are not the documents that were relied on to make the decision but documents created post hoc to justify the decision after it was made. Only by releasing all of the original documents created before 22 May 2024 could the Government's pretence of transparency be taken seriously.

The PRESIDENT: Order! The Leader of the Government was heard in silence and the Hon. Scott Farlow will be too.

The Hon. SCOTT FARLOW: None of the documents tabled refer to any modelling for a two-year extension of Eraring. All of the modelling refers to an August 2028 closure of Eraring. How did the Government

decide on a two-year extension rather than the three-year extension modelled by Endgame Economics? There is no transparency here. The ICA Partners summary, produced at the request of the Government on 2 July 2024, refers to payments of up to \$197 million based on a "worst-case scenario". Assuming that this refers to annual payments—the document is not clear on this point—how did these blow out to \$225 million during negotiations? ICA Partners struggles to explain this and resorts to the oxymoronic notion of "outcomes more adverse than the worst-case".

There is no transparency in these documents to explain the Government's generous \$225 million a year backing of Origin with taxpayers' money. In question time on 19 June 2024 the Minister for Energy was unable to explain to the House why the Government ceded any right to audit Eraring's claim of reportable losses on which the amount forked out by the taxpayer would be based. Nothing in the tabled documents assists us towards any answer to that vital question. In the same question time, the Minister for Energy avoided any acknowledgement of the additional \$100 million contingent liability related to unplanned unit failures. [*Time expired.*]

Bills

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2024

Second Reading Debate

Debate resumed from 6 June 2024.

The Hon. SUSAN CARTER (16:41): On behalf of the Opposition, I speak in debate on the Statute Law (Miscellaneous Provisions) Bill 2024. This is not the first time in this Parliament that we have considered bills of this type. These bills, while largely housekeeping, continue to be important in ensuring that our legislation is accurate and able to be interpreted clearly and consistently. The Hon. John Graham noted in his second reading speech that, although this bill deals with minor changes, it has important consequences for the ongoing quality of statute law in New South Wales and in ensuring that the work of Government continues effectively. I agree with the honourable member, although I think we must be careful to ensure that small changes do not have unintentionally large effects.

The typographical errors which the honourable member used as examples can sometimes alter the interpretation of the law. Let us not forget the power of the Oxford comma in the infamous million-dollar comma case, where literally \$1 million turned on the placement of a comma. We ignore grammatical accuracy at our peril. The Opposition did have concerns about the original form of this bill, especially the proposed amendment to the Geographical Names Act. This amendment would have waived the current requirement to publish in a local newspaper any proposal for changing a geographical name. This would have had the undesirable consequence of removing the ability of locals to object to the proposed change, since it is impossible to object to something which you do not know exists.

Similarly, we had concerns that some of the changes to the Environmental Trust Act went further than legislative housekeeping and represented policy changes. Such changes are outside the normal scope of legislation of this kind. After discussion, it is our understanding that the relevant sections will be amended by the Government. We thank the Government, and on that understanding, are happy to support this bill. I note in concluding that this entirely uncontroversial bill is one of only two bills to be considered today. After the somewhat chaotic management at the end of the last parliamentary sitting and the late-night rush to conclude the necessary parliamentary business, it is surprising to see the Government's agenda today is so thin. However, it is pleasing to know that debate tonight will not continue past midnight as a consequence. This bill is slight, but important. I thank the Government for working collaboratively on changes. I commend the bill to the House.

The Hon. BOB NANVA (16:43): I speak in favour of the Statute Law (Miscellaneous Provisions) Bill 2024. Like other miscellaneous provision bills, this bill ensures the accuracy and quality of the statute book in New South Wales. This miscellaneous bill, however, is one that I have taken a close interest in and deeply invested in given that it makes a range of what the Minister has described as minor amendments to various Acts and regulations. In speaking in favour of this bill, I must disagree with the Minister that one of these amendments could possibly be categorised as minor.

The Statute Law (Miscellaneous Provisions) Bill 2024 amends part of schedule 3 to the Biosecurity Act 2015 to correct a significant error by amending "*Chinemys reevesii*" to instead read "*Mauremys reevesii*". Members will legitimately be asking how the previous Coalition Government, which introduced this legislation, could have possibly made such a mistake. Members often like to catalogue a list of past Government missteps, and this one truly is egregious. However, members should not be too hasty, because the debate over the scientific naming of the Chinese pond turtle—which is also sometimes known as the Chinese three-keeled pond turtle—is one that has lasted centuries. The Chinese pond turtle was first given the name *Emys reevesii* in 1831 by John Edward Gray in his famous and well-known text *Synopsis Reptilium; or Short Descriptions of the Species of*

Reptiles. In 1931 this turtle was given the name *Chinemys reevesii* by Malcolm A. Smith in *The Fauna of British India, Including Ceylon and Burma: Reptilia and Amphibia Volume I*. This name, like its last, stuck for nearly a century.

This brings us to the modern era with the internet, smartphones and the most recent renaming of the Chinese pond turtle. It was only in the mid-to-late 2000s that the scientific community settled on the current name for the Chinese pond turtle, *Mauremys reevesii*. This is now reflected in this legislation. The House can see that it is an easy error to make. But how this exquisite specimen of turtle has caused so much disagreement and change is also of note. The Chinese pond turtle is notorious for its ability to produce hybrids with species that it is only distantly related to. This in turn has also made it difficult for scientists to determine whether turtles are new species or simply hybrids of existing species. This potentially leads to some of the confusion that we find ourselves in today.

With great power also comes great risk. This turtle's ability to make friends across the aisle also puts it in some danger, with hybridisation posing a threat to the species' longevity. Habitat loss and hybridisation mean that the Chinese pond turtle has now been classified as endangered by the International Union for Conservation of Nature. This is perhaps a lesson for us all.

For members' information, I seek leave to table a document that contains an image of the newly named *Mauremys reevesii*. I encourage all members to inspect this important document.

Leave granted.

Document tabled.

The Hon. BOB NANVA: I thank members for allowing me to speak to this important provision of the bill. I commend the bill to the House.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (16:47): In reply: I thank both members for those very different contributions to the Statute Law (Miscellaneous Provisions) Bill 2024. I thank the Hon. Susan Carter for her support of the bill, and I thank the Opposition for its support and for the issues that it raised. The member characterised in the correct way the discussions with the Government. It is certainly the Government's intention to deal with those issues, and I thank the Opposition for its assistance. I applaud the member's comments about the importance of grammatical accuracy. I indicate to the House that these are bipartisan matters of the highest order. I do not accept the member's characterisation of the Government's business program.

This is something the Opposition has commented on previously. When we looked back at the amount of legislation that had been passed, it compared very favourably to the actions of former governments over the past 12 years. One thing had changed, which was that legislation was moving through the House much more rapidly than it had over those 12 years. Perhaps Opposition members may choose to reflect on what that means about the contributions they made in those debates. I raise that lightly, and only because the matter was raised in debate. I thank the Hon. Bob Nanva for his contribution. The member always makes an original and thoughtful contribution to debate in the House, and the record is clear that he has done the same again. I thank him for his contribution and commend it to other members.

Having made those observations, I reiterate what I said in my second reading speech: Where any member objects to a proposal in a statute law revision bill, the longstanding practice is that the Government will omit that proposal. Both the Opposition and the crossbench have taken the opportunity, in the usual way, to raise concerns with some of the proposals contained in the bill. As a result, the Government will be moving amendments in Committee to omit proposals in the bill that relate to some of those concerns. I also indicate that the Government is expecting some individual crossbench amendments. They are matters that have been raised with the Government, and I thank those members for their cooperation. I will comment on those amendments at the Committee stage. I thank James Conroy and the Cabinet Office team for their work on the bill. I commend the bill to the House.

The PRESIDENT: The question is that this bill be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. I have three sheets of amendments: Government sheet c2024-121B, containing amendments Nos 1 to 3; Animal Justice Party sheet c2024-120A, containing amendments Nos 1 and 2; and The Greens sheet c2024-128, containing one amendment. I call on the Minister to move the Government amendments first.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (16:53): By leave: I move Government amendment Nos 1 and 2 on sheet c2024-121B in globo:

No. 1 Environmental Trust Act 1998

Page 6, Schedule 1.12, lines 4–27. Omit all the words on the lines.

No. 2 Geographical Names Act 1966

Page 8, Schedule 1.17[3], lines 22–34. Omit all the words on the lines.

I note at this point that the Government will not be moving amendment No. 3 on sheet c2024-121B, which was circulated earlier. Amendment No. 3 related to the postponement of the automatic repeal of the Prevention of Cruelty to Animals Regulation 2012. This matter is addressed by a mutually exclusive amendment proposed by the Animal Justice Party, which the Government will support. I place that on the record, so members know how we are proceeding.

Amendment No. 1 relates to the Environmental Trust Act 1988. Amendment No. 1 omits schedule 1.12 from the bill, being the provisions amending the Environmental Trust Act 1988. The intention of these provisions was to expand the membership of the Environmental Trust from five to six members, with the additional member to be an Aboriginal person appointed by the Minister. The provisions also included other consequential and minor amendments to the Environmental Trust Act 1998. The Opposition raised concerns about these provisions and their suitability for inclusion in the bill. Accordingly, amendment No. 1 removes the provisions from the bill.

Amendment No. 2 omits from schedule 1.17 to the bill a provision amending the Geographical Names Act 1966. The provision relates to the notice requirements imposed on the Geographical Names Board when proposing to assign or to alter a geographical name. The provision would have removed the requirement for the board to circulate notice of a proposed name change in a newspaper available in the relevant place if there was no such newspaper available or the board otherwise considered it impractical. The Opposition raised concerns about this proposal to amend the Geographical Names Act 1966, and its suitability for inclusion in the bill. I recognise the Hon. Susan Carter referred to it in her contribution to the second reading debate. Accordingly, following the usual practice, amendment No. 2 removes the provision from the bill.

The proposals omitted were considered suitable for inclusion in a statute law revision bill. However, these are longstanding practices and the Government has responded in the usual way. We welcome the engagement of members. It is exactly how this process should work. For that reason, I commend the amendments to the Committee.

The Hon. SUSAN CARTER (16:55): The Opposition is happy to support the amendments, for the reasons that I and the Minister have outlined.

The CHAIR (The Hon. Rod Roberts): The Hon. John Graham has moved Government amendments Nos 1 and 2 on sheet c2024-121B. The question is that the amendments be agreed to.

Amendments agreed to.

The Hon. EMMA HURST (16:56): By leave: I move Animal Justice Party amendments Nos 1 and 2 on sheet c2024-120A in globo:

No. 1 Prevention of Cruelty to Animals Regulation 2012

Page 12, Schedule 1.25. Insert after line 4—

[3A] Schedule 5, clause 3A

Insert after clause 3—

3A Postponement of repeal of Prevention of Cruelty to Animals Regulation 2012

The Prevention of Cruelty to Animals Regulation 2012 remains in force until 1 February 2025, unless sooner repealed.

No. 2 Prevention of Cruelty to Animals Regulation 2012

Page 12, Schedule 1.25[4], proposed Schedule 5, clause 4(j), line 19. Omit all the words on the line.

This is the eighth time since 2017 that the remaking of the Prevention of Cruelty to Animals Regulation 2012 has been sought to be postponed. Every time, the justification is that another major reform of animal protection laws and regulations is just around the corner. But every year, nothing changes, and 12 months later we end up with the same outdated animal protection regime that is clearly not fit for purpose—a regime that is harming animals every single day.

When I last spoke on these regulations, just over a year ago, I implored the Labor Government not to repeat the mistakes of the Coalition. I urged them not to leave us in a position where we would be having this debate again in 2024. And yet, here we are. This amendment allows the New South Wales Government six months to remake the regulations, instead of one year. This is a sensible time frame which reflects the fact that we really need to get on with the job of updating both the Prevention of Cruelty to Animals Act and the regulations as soon as possible. If in six months these updated regulations are not ready, then I am very open to having further discussions with the Government and the Minister for Agriculture about a further extension of the current regulations.

If we can see what work has started and what still needs to be done, then at least we will have progress, and that is all we are really asking for. I do not want these updates to be rushed; I just want them started. I say again that I am very open to having further discussions before the six months is up to make sure there is enough time to make the appropriate updates, and I would support further time being given, assuming progress is finally being made. It goes without saying that simply remaking the regulations in an identical form to what they are now, or with very minimal changes, would be unacceptable and a breach of Labor's election commitment to overhaul the animal cruelty regime in New South Wales. I would like to take a moment to explain to members what is contained in these archaic and outdated regulations and why we need to make the time frame for remaking them six months, as per my amendment.

The regulations allow for hens to be permanently confined to barren battery cages, with no end date in sight, despite Labor agreeing to national standards that require a phase-out of battery cages by 2036 at the latest. The regulations create exemptions that allow for cruel rodeo events, including calf roping, a practice that was meant to be phased out under the code by 1989. They also allow for a disturbing device called an electro ejaculator to be legally used to extract semen from cows and sheep.

The regulations prescribe codes and standards for animal trade industries that are decades out of date and impose minuscule penalties for breaches—up to only \$5,500. They allow dogs to have their vocal cords removed in a debarking procedure if they are deemed a nuisance, and for cats to be declawed in certain circumstances. Those brutal procedures are opposed by the Australian Veterinary Association but are still allowed under the regulations simply because they have not been updated. The New South Wales Government needs to get on with the urgent task of updating our animal protection regime now, and I hope that is what the amendments will achieve. We must fast-track animal protection laws and finally get the updates needed to make New South Wales a State that works to protect animals from harm.

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) (17:00): I thank the member for moving the amendments. As I signalled, the Government would have moved a similar amendment after these issues were raised. I indicate that the Government will support the member's amendments. I thank her also for that additional commentary about the way this might work over time. That is helpful guidance for the Government from the member.

Ms ABIGAIL BOYD (17:01): The Greens support the amendments moved by the Animal Justice Party. The Hon. Emma Hurst has set them out nicely. This is an incredible source of frustration for many in the community and across the animal welfare activist space. As long as the member and I have both been here, every year we get told that the regulation is not in a position to be updated. I understand that under the previous Government it was seen as a low priority. There were some efforts to overhaul the laws but, even then, it was a case of asking every year for four years where those laws were. As is natural, there are competing priorities for Ministers in departments. Setting out a timetable, where we can see movement towards overhauling those laws and preparing a new draft of the regulations, is one way of saying very clearly to the Minister and the department, "This is a priority for us and for this Parliament." We cannot keep delaying it year after year. We need to start moving.

The Hon. SUSAN CARTER (17:02): I indicate that the Opposition is very happy to support the amendments as well.

The CHAIR (The Hon. Rod Roberts): The Hon. Emma Hurst has moved Animal Justice Party amendments Nos 1 and 2 on sheet c2024-120A. The question is that the amendments be agreed to.

Amendments agreed to.

Ms ABIGAIL BOYD (17:03): I move The Greens amendment No. 1 on sheet c2024-128:

No. 1 **Interpretation Act 1987—transferred provisions**

Page 9, Schedule 1.19[1], lines 16–19. Omit all words on the lines.

The amendment is very similar to one we moved in 2021, when the issue came up previously. It concerns a part of the Statute Law (Miscellaneous Provisions) Bill that seeks to build in an automatic provision where a provision is moved from one statutory rule to another Act or statutory rule. The proposal in 2021 related to an instrument rather than a statutory rule. We spoke with the now Minister, the Hon. John Graham, at the time and with the previous Minister in the context in which the proposal was brought. I think it was in a transport bill. We explained that that amendment was not minor because, by including an instrument instead of a statutory rule, it brought in consideration of disallowable instruments. Importing meanings and provisions from disallowable instruments into an Act would allow us to look at and analyse it, but if they came through in a regulation they could be very easily missed.

I have a lot of sympathy for people drafting all of the instruments that need to be drafted under current modern governments. I get it. I am sympathetic with the need to try to shortcut some of that. The norm has become that 90 per cent or more of our New South Wales laws are made under subordinate legislation, including in the form of orders and other instruments that have significant impacts on people's lives but are not even reviewable by us in Parliament—something that some of us are trying to change. Therefore, we need to weigh up that desire for efficiency with the need for Parliament to oversee the laws of the State. That is why we opposed the proposal when it came up in 2021 and that is why we are opposing it again. We think that it has gone far enough in its current version, and we ought to stop there.

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) (17:05): I will indicate to the Chamber the advice that the Government has received in relation to the amendment. Particularly given that the issue has come up before, it is important for members to be aware of that advice. Section 30A of the Interpretation Act 1987 allows provisions to be transferred from one Act or statutory rule to another without affecting the operation or meaning of the provision, as long as that other Act or statutory rule specifies that section 30A applies.

Schedule 1.19 [1] proposed to extend the application of that provision to other legislative instruments, such as environmental planning instruments made under the Environmental Planning and Assessment Act 1979. I am advised that can already be achieved by referencing section 30A in an environmental planning instrument, and there are numerous current examples occurring across the statute book. The amendment was considered necessary to ensure the same process applies to all instruments. It was also judged to be a suitable amendment for inclusion in a statute law revision bill. The member has raised the issues and received a briefing on these matters. Given that the member and The Greens hold this view, we intend to deal with it in the usual way. The Government will support the amendment and remove the provision from the bill.

The Hon. SUSAN CARTER (17:07): I indicate that the Opposition will also support the amendment. Ms Abigail Boyd raises a very interesting issue, which we should think through carefully. That is, under the current principles of interpretation, the High Court very clearly links text to context. Here, if we are taking words and putting the same text in different contexts and statutory instruments, it is important to think through the interpretive confusions that may arise. I understand clearly that the intent is to streamline meanings across legislation, but the fact is that a word used in a particular legislative context may find itself in a different context, in a different instrument—for example, a planning instrument. It is better to be cautious in this instance, so we will support the amendment.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 1 on sheet c2024-128. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): The question is that the bill as amended be agreed to.

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

That the Chair do now leave the chair and report the bill to the House with amendments.

Motion agreed to.

Adoption of Report

The Hon. JOHN GRAHAM: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (TRANSPARENCY AND FIT AND PROPER PERSONS) BILL 2024

Second Reading Debate

Debate resumed from 6 June 2024.

The Hon. SARAH MITCHELL (17:10): I lead for the Opposition on the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024. I gladly indicate at the outset that the Opposition will not oppose the bill. I acknowledge Dugald Saunders, the Leader of The Nationals and the shadow Minister in this space, for his diligence and hard work in relation to this issue and thank his staff for their assistance. Coalition members agree that there needs to be increased transparency around animal welfare enforcement operations and that strengthening animal welfare protection is important. This bill seeks to do that by expanding the current fit and proper person regime to address a gap in the legislation. The Prevention of Cruelty to Animals Act [POCTAA] currently provides that a court can make a disqualification order following a conviction, which prevents the convicted person from owning or caring for animals.

This can be tailored to particular time frames—for example, not allowing the offender to own an animal for six months. There is also a presumption that a court must make a disqualification order for persons convicted of serious animal cruelty offences, but the gap relates to persons who have been convicted of either repeat animal cruelty offences or multiple animal cruelty offences arising from separate events. This bill will close that gap and allow the courts to apply disqualification orders to prevent those offenders from being in any way involved in keeping or breeding companion animals, unless special circumstances exist. Whilst we agree that people need to be held responsible for multiple animal cruelty offences, it is important to recognise that sometimes these special circumstances may and do exist.

There needs to be a realisation that having a companion animal or a pet is a bit different to having a thousand head of cattle, for example, and farmers who are dealing with predominantly animals as part of their enterprise can come under immense mental health pressure during circumstances like severe drought. That needs to be taken into account in some way, shape or form as this legislation and the courts determine their lives. Approved charitable organisations also play a big role in this space, and the transparency proposals for them in this bill certainly help to ensure that that happens. I note that key stakeholders have been consulted to make sure their views are well understood. It should also be noted that there is strong stakeholder support for increased charitable organisations' transparency in relation to their enforcement operations under the Prevention of Cruelty to Animals Act.

The bill is looking to increase that transparency in approved charitable organisations' operations by clarifying that they are subject to the requirements of the Government Information (Public Access) Act 2009, which sets out how members of the public can access government information in relation to their enforcement functions; by providing that the charitable organisations are subject to oversight by the NSW Ombudsman with respect to their statutory enforcement activities, which provides an alternative to current internal mechanisms regarding complaints about the organisations; by enhancing the information required to be provided by these charitable organisations to the Minister in their annual reports and requiring those reports to be tabled in Parliament; by making changes to the appointment process for officers and inspectors to streamline appointment provisions, including terms of appointment; and by requiring officer and inspector identification to show evidence of appointment.

It is the view of the Opposition that this will all form part of the review of funding provided to these organisations for the future. Indeed, that is in the bill. As I said at the outset, the Opposition will not oppose the bill. The Coalition supports the amendments and changes that this legislation will bring. We are happy to work in a bipartisan manner on this issue to ensure that we work collectively to improve animal protection laws in this State.

The Hon. EMMA HURST (17:14): On behalf of the Animal Justice Party I join in debate on the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024. The Animal Justice Party [AJP] is pleased to see in this bill the New South Wales Government building some of the reforms the AJP introduced and had passed in the last Parliament, as well as implementing some of the recommendations that have been made in upper House inquiries in this place. As members are aware, the Prevention of Cruelty to

Animals Act is over 45 years old and has not received any major update. This Act is not fit for purpose. It does not meet community expectations, and every day that it remains in force it puts the lives of animals at risk.

The Labor Party made an election commitment to overhaul these outdated animal cruelty laws. While this bill is a step towards that goal, we will need to see much more comprehensive reforms very soon if we are to fulfil this commitment before the next election. I look forward to those bills coming to the House this year. I understand the Minister's position of doing these changes one at a time. It is not a perfect solution, but given she has inherited such a hugely outdated bill, it does require a step-by-step process to get it right. But that does not mean that we can make minor changes alone without the larger pieces of work as well. I urge the Government to make those an urgent priority.

With those comments, I now turn to the provisions of the bill. A key part of the bill is the expansion of the automatic animal ban regime in section 31 (1AA) of the Prevention of Cruelty to Animals Act [POCTAA], which was introduced by the Animal Justice Party in 2022. This section requires a court to impose an order disqualifying a person from owning, caring for or working with animals if they are found guilty of certain animal cruelty offences, unless special circumstances exist justifying otherwise. The Government's bill builds on this work by the Animal Justice Party and provides that animal ban orders must be imposed by the court if a person has been previously convicted of animal cruelty, or if the court has found the person guilty of multiple animal cruelty offences. I note these reforms were championed by former Labor member of Parliament, the Hon. Mick Veitch, MLC, who is in the building today. I am pleased to see it being introduced today. The reality is that the community does not want to see people who have been found guilty of animal cruelty having access to animals at all, and yet too often we have seen the courts make very lax disqualification orders, or not making them at all.

There have been cases where a person had been convicted of acts of cruelty towards a cat and the court ordered them to be banned from having any animal, except for one cat—the very cat that was the animal they had abused. The system has not been working, and that is why the Animal Justice Party introduced section 31 (1AA) in the first place—to require the courts to make disqualification orders when a person has been found guilty of aggravated animal cruelty and other serious offences—and, again, it is great to see Labor building on these reforms today. I foreshadow I will be moving a small amendment at the Committee stage concerning disqualification orders, which I understand the Government will not oppose. The bill also contains some small but important reforms to improve transparency and accountability, such as ensuring the RSPCA and the Animal Welfare League can be formally subject to Government Information (Public Access) Act [GIPAA] requests and are also subject to review and oversight by the NSW Ombudsman in relation to their role enforcing POCTAA.

I have spoken in this place about the highly unusual situation that exists in relation to animal cruelty laws in New South Wales where we rely on private charities to investigate and prosecute criminal offences, with no guaranteed government funding for this work, and no transparency or oversight. It has really been a system that was set up to fail. I note that at the time of this debate these private charities still do not know if they will receive any government funding, or how much government funding, to enforce animal cruelty laws in 2024-25, despite us being over a month into the financial year. Imagine if the police went unfunded to enforce domestic violence or homicide for an entire month. It is absurd to think about but that is happening right now in the animal cruelty offences space. I call on the Minister to address it urgently in her reply speech and explain how she is ensuring that the animal cruelty laws continue to be enforced in the absence of funding.

The whole system of relying on private charities without funding or oversight has been long criticised by animal protection advocates and community members, who are concerned that it lacks accountability and that it does not achieve the best outcomes for animals. Introducing transparency measures like GIPAA and allowing complaints to the Ombudsman is definitely a good step but it does not go far enough. We need an independent office of animal protection. That is another election commitment by Labor that we continue to wait for, and one I hope to see introduced in this place very soon.

Ms ABIGAIL BOYD (17:20): I contribute to debate on the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024 on behalf of The Greens as the spokesperson for animal welfare. The bill amends the Prevention of Cruelty to Animals Act 1979 to make changes to animal welfare enforcement operations undertaken by approved charitable organisations [ACOs], namely the RSPCA NSW and the Animal Welfare League NSW [AWL], for the purposes of increasing transparency, including subjecting them to compliance with Government Information Public Access Act [GIPAA] provisions and Ombudsman oversight, allowing the Minister to appoint a person as an appointed officer or inspector, and requiring annual reports to include certain information about complaints and outcomes.

The bill also makes changes to the existing regime concerning who can keep and breed animals, by requiring courts to apply disqualification orders to repeat offenders who are convicted of animal cruelty offences. Recent amendments to the Act made via the Prevention of Cruelty to Animals Amendment (Prohibitions for

Convicted Persons) Bill 2022 created an automatic requirement that a court must make a disqualification order once a person has been convicted of a cruelty offence, unless certain circumstances exist.

The changes to accountability and transparency provisions are very basic changes to the functions and requirements of the ACOs, the majority of which they already carry out, including submitting annual reports and financial statements to the Minister. They have already voluntarily complied with the GIPAA provisions for years, albeit without being resourced by the government to do so. In relation to that expense, it has obviously been absorbed within their current funding window, but there is no guarantee that it would continue to be at manageable levels.

The bill is also adding Ombudsman oversight. That, along with the expectation that the number of GIPAA requests will no doubt increase with the passing of the bill, will impose an undue financial burden on those ACOs and ultimately undermine their ability to ensure animal welfare and protection across our State. Obviously, The Greens support more accountability and transparency wherever public money is being spent, but it is particularly galling at this moment because the Minister for Agriculture is still not able to confirm how much those ACOs will receive from the 2024-25 budget.

The RSPCA and the AWL are operating on the basis that they will receive more money this year, without actually knowing how much that will be. After the budget discussion debacle where a statement was made about record funding that then turned out to be less than half of what had been provided by the previous Government, The Greens really hoped that it would be resolved a lot quicker than it has been. It is frankly absurd that animal welfare charities are carrying out the functions of, and being the only ones responsible for, the enforcement of criminal laws—and the seriousness of a lot of those offences—but are not properly funded. If those organisations carry out those functions, they must be well funded and supported.

It comes down to an inherent conflict of interest between the priorities of the Minister for Agriculture—animal welfare on the one hand and agriculture on the other. It is just not possible for a Minister with primary responsibility for ensuring agricultural outcomes to also have responsibility for animal welfare and protection in our State, unless animal welfare is only viewed as being synonymous with the quality of product as opposed to how the majority of people in the community view animal welfare, which is treating animals as humanely as possible. That has, for far too long, put animal welfare at the bottom of the priority list and has resulted in animal welfare being woefully underfunded year after year, no matter which government. I hope this Parliament can get behind the idea of an independent office of animal welfare and, hopefully one day in the not too distant future, a separate animal welfare Minister so that we can finally meet the community's expectations.

The bill also seeks to introduce a fit and proper person regime by amending the definition of a disqualification order to mean an order that disqualifies a person from doing any of the things listed in section 26 of the Act, including purchasing, taken possession of, keeping, acquiring or being part of an arrangement under which the person has influence over an animal. Currently, a disqualification order can encompass one or more of those things. The bill also introduces information collection, use and disclosure provisions to facilitate information sharing between relevant agencies, ACOs, New South Wales police and the Greyhound Welfare and Integrity Commission [GWIC].

The Greens have asked a question of the Minister's office about new section 26. The effect of that change requires that all the sanctions that appear in new section 26 be part of a disqualification order, instead of allowing a magistrate or a judicial officer to decide which particular sanction to enforce in a particular case. Although instinctively it seems reasonable that somebody who has been found guilty of one of those offences should be disqualified, especially when the horrific circumstances in which those offences occurred are considered, The Greens firmly believe in judicial discretion, not fettering it, so we had a bit of a back and forth with the Minister about that. We are currently happy to leave things as they are, but I note that the continuing trend of taking away magistrate discretion without firm evidence as to why that is required in a particular case is a concern.

The RSPCA has raised concerns about the lack of ambition in the bill in establishing a robust fit and proper person regime, particularly given the absence of a streamlined data-sharing process. Without access to a centralised data-sharing platform, the ACOs lack the information to adequately carry out their responsibilities under the Act. That has also caused ACOs to rely on ad hoc communication and information sharing from the NSW Police Force. It also places additional resource strains on ACOs.

The Greens had proposed to put some amendments on the same sheet, but we are unlikely to move one of them at this stage. I will double-check but it seems that the Animal Justice Party has put up very similar amendments, which we would support instead. The basic principle behind those is that there are far too many circumstances where someone is found guilty of the most horrifying offences, often cases of neglect and cruelty, but a conviction is not handed down, often for very good reasons relating to a person's mental health or for other extenuating factors and reasons. In those circumstances, requiring the RSPCA or the AWL to give back care for

animals to a person who has been found guilty of an offence is a horrific thing for them to have to do. The benefit of the amendments being put is that we refer instead to the guilty finding rather than a conviction, which I think is a good balance to strike.

The other amendment is in relation to information sharing. At the moment it is only in relation to significant risk being presented to an animal. That is a very hard thing to quantify at the time. We tried to move an amendment that reflects what we see in the Greyhound Racing Act 2017 in relation to GWIC, which allows agencies to share information where it is necessary or desirable for the objects of the Act. It is still constrained, but it allows the agencies to share information more easily. That important amendment has been put to us by a number of stakeholders.

The Government has indicated that the bill is intended to follow through on two parts of its five key pre-election animal welfare commitments, but the changes do not entirely follow through on the commitments to review ACO funding arrangements. I encourage the Government to do that much quicker. It is incredibly disappointing that the bill is the very first piece of the Government's animal welfare reform in this term of government. It has been well over a year now. Our animal welfare laws are decades out of date and do not come close to meeting community expectations or scientific evidence. The Government needs to move a lot quicker, but The Greens support the bill.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! According to sessional order, it being 5.30 p.m., proceedings are interrupted for debate on committee reports and Government responses.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. BOB NANVA: On behalf of the Hon. Emma Hurst: I postpone committee reports and Government responses order of the day No. 1 until the next sitting day.

The Hon. BOB NANVA: On behalf of the Hon. Aileen MacDonald: I postpone committee reports and Government responses order of the day No. 2 until the next sitting day.

The Hon. BOB NANVA: On behalf of Ms Sue Higginson: I postpone committee reports and Government responses order of the day No. 3 until the next sitting day.

Committees

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS

Reports

Debate resumed from 18 June 2024.

Ms CATE FAEHRMANN (17:31): I continue my contribution to the take-note debate on the report entitled *Current and future public transport needs in Western Sydney*. While the construction of the Sydney Metro Western Sydney Airport line to St Marys is a great thing, it needs to benefit as many residents as possible from the start. The committee recommended that the Government immediately assess the feasibility of additional stations on the confirmed section of the Sydney Metro Western Sydney Airport line so that any planning and development commences by the time of the airport's opening in 2026, and that the Government ensures that planning and development of future extensions to the line include an adequate number of, and distance between, stations. Much of the provision of public transport infrastructure in Western Sydney is patchy at best, leaving vast areas completely unserved.

Cumberland City Council argued that the Government should better align public transport services with planned growth within the Cumberland local government area, the current population of which is over 236,000 people and is expected to increase to 300,000 by 2036. The council made a strong case that Parramatta Light Rail Stage 2 be extended so that the line terminates at Lidcombe railway station instead of the Carter Street Precinct, because the Carter Street Precinct is not closely linked to any kind of interchange or junction. The committee saw sense in that and therefore made that recommendation. I again call on the Government to explore that as an option.

Beyond completing rail links that improve connectivity across Western Sydney, it is equally important to ensure that the public infrastructure provided is accessible to as many residents as possible. The committee recommended that the Government ensure that culturally and linguistically inclusive measures are in place across public transport services in Western Sydney to go some way to addressing the terrible accessibility issues that exist. The committee heard about the complete lack of active transport solutions in many parts of Western Sydney,

so it recommended that the Government commit to funding Sydney's strategic cycleway corridors in Western Sydney to deliver the network by 2030.

Ferry services have also been severely neglected in Western Sydney. Commuter discontent with the current offerings extends right along the Parramatta River, with many Drummoyne residents complaining about services that never arrive or are full by the time they get to them. It is time for more ferries. The committee recommended that the Government conduct a detailed review of the F3 Parramatta River line's operations, including an assessment of the feasibility and potential impacts of increasing the frequency, speed and stopping patterns of the service. I say that the Government should go one step further than that and just increase the number of services.

Another issue that came up time and again was the appalling lack of adequate bus shelters in Western Sydney. Sweltering Cities told the committee that the quality of bus stops varied greatly across local government areas. It informed the committee about a mapping exercise that it had conducted of 2,500 bus stops in Sydney, which identified stark differences between those in Western Sydney and those in the inner west and other wealthier suburbs of Sydney. Only 34 per cent of bus stops in the inner west lacked shade, shelter or seating, while it was 73 per cent in the north-west. We heard about a particularly bad bus stop in Erskine Park, within the Penrith local government area, that had won a "worst bus stop in Sydney" contest. It is along a narrow road with lots of heavy truck traffic, and one person said that the grass there has snakes in it. There is no shelter or shade, and it is next to a whole lot of houses. According to the data, two or three people a year use the bus stop—which is unsurprising since, again, there are snakes next to it.

Therefore, the committee recommended that the Government consider allocating initial funding in the next budget to fund 2,000 bus shelters across Greater Sydney—with a particular focus on Western Sydney and on bus stops located near schools, hospitals and aged-care facilities—and provide ongoing, dedicated funding to local councils for upgrades and maintenance of bus stop infrastructure. I am pleased to let the Government know that the committee is already dealing with one of the recommendations in the report. That is the recommendation to undertake a review of the relevant legislation and regulations to take into consideration the growing popularity of micromobility services and allow for their safe and widespread integration into the public transport network in Western Sydney and more broadly across New South Wales, which is the next inquiry that Portfolio Committee No. 6 is undertaking.

The committee heard from witnesses, particularly those representing south-western Sydney communities, that the Government must stop approving new housing developments on the outer fringes of Western Sydney without commitment to, or investment in, public transport infrastructure and services. It is extremely irresponsible of the Government to continue to allow families to buy houses in new suburbs without adequate access to public transport, let alone functional sewerage or schools. Therefore, I am pleased that the committee recommended that the Government prioritise the immediate public transport needs of existing and approved, but not yet built, areas of Western Sydney's outer fringes prior to approving more housing development in those precincts. We cannot continue to expect Western Sydney to accommodate the majority of Sydney's growth while continuing to push the public transport needs of Western Sydney to the side.

The inquiry was not necessary to prove that Western Sydney needs more frequent, reliable public transport and improved infrastructure ready to support its growing population. However, it is important, particularly at this relatively early stage of the Minns Government, to ensure that the issue is front and centre when decisions are made regarding public transport investment. That is why I implore the Government to take the recommendations in the report seriously. I note that the Government has responded to the report over the winter break, and the majority of the recommendations in the report have been noted. I do not think there is anything that the Government is changing direction or policy on as a result of the report, which is disappointing, but we will wait and see.

I thank all of the participants in the inquiry—including local councils, transport experts and community groups—whose contributions have been vital in highlighting the unique challenges and opportunities facing Western Sydney at this time of transformation and whose insight helped shape the recommendations. I also thank my committee colleagues and the fabulous secretariat staff for their efforts in pulling together a solid report into what is needed, particularly over the short term, for Western Sydney's dire public transport situation. I commend the report to the House.

The Hon. BOB NANVA (17:38): Before turning to the substance of the issues contained in the report, I begin by commending the chair of the committee for her methodical and balanced approach to the variety of transport, planning and funding challenges that arose from the evidence given during the hearings. I also thank the many witnesses whose contributions reflected not only their love for Western Sydney, but also their frustration that there is a handbrake on its potential through a lack of focus and attention. As someone who has called Western Sydney home for 14 years, it is a sentiment I know all too well and understand completely. For locals, the one

thing worse than a lack of attention, ambition and drive is political leaders who preach and promise the world without having or caring about the means to deliver. That, for too long, has been the story of Western Sydney.

That is why this report is a refreshing antidote. It does not politicise criticisms, nor does it build false hope with grandiose recommendations that are well beyond the realms of possibility or reality. The report grapples with many challenges: the growing pains inevitably felt by a region that takes in a far greater proportion of people than many other areas; the own goals by governments that, for decades, have planned land use in isolation from infrastructure availability or delivery; the antiquated town planning mantra that once saw outer suburban areas as places to sleep with the expectation that we would all travel to the Sydney CBD for employment and recreation; and the lack of foresight to find credible alternative funding mechanisms to help cash-strapped governments to pay for the expensive infrastructure that is needed for growing populations.

As a local, it is this last point in particular that has driven me wild with frustration for years. There have been relentless criticisms without solutions, promises without means and noise without action. The greatest compliment I can give this report is that it takes a commonsense and tangible approach to contending with the issues. It does not recommend everything with the expectation of achieving nothing, especially when what is really required is a very deliberate and purposeful effort to fulfil the promise of a great region. Clearly, beginning the process of addressing the current transport infrastructure deficit—be it road, rail, bus or light rail—is the first step to achieving that. Public transport in particular is a great enabler of employment and social mobility. Errors by governments of all persuasions have, for far too long, held back the greatest potential of Western Sydney.

We heard from many witnesses, particularly from south-western Sydney, for whom the lack of public transport options has stopped them from maximising their employment opportunities, not only in other parts of Sydney but also within their own region. That is not to mention the many new suburbs—like Marsden Park, Wilton, Appin and Oran Park, to name a few—that have been developed or approved on Sydney's outskirts without the delivery of promised services, leaving new residents dependent on private vehicles in Sydney's spider web of toll roads. It is, frankly, disgraceful that many outer suburban communities, some of which have lower socio-economic profiles, have little to no public transport options when some regions within a five- to 10-kilometre radius of the Sydney CBD are afforded so many: metro, heavy rail, light rail, buses, ferries, on-demand services, taxis, Ubers and cycleways.

This has created the inequity we see in public transport options and an unnecessary burden that is based on where in Sydney you happen to live. No-one begrudges those areas the riches of transport options available to them, but equity demands that our focus and more options be spread across a radius that extends well and truly beyond the Sydney and Parramatta CBDs. The cities of Penrith, Liverpool, Blacktown, Campbelltown and Bankstown are bustling hubs whose potential should be and can be realised with transport options that feed in and out of them. They are all areas that are powerhouses in waiting and they should be enabled to reach their potential.

Before concluding, I highlight the report's analysis of the critical importance of integrating land use planning with transport planning, as well as exploring alternative revenue and funding measures, all of which will be indispensable in curtailing Sydney's habit of sprawling without infrastructure and of promising projects on master plans without the funding to back them in. While developer contributions and voluntary planning agreements do some of the heavy lifting, they will never be a solution to plugging the gaps in transport and community infrastructure that continue to appear across Sydney's west. Often, developers or those who have land banked for years benefit handsomely when their land obtains a much greater productive use than it once had, for no other reason than the Government investing heavily in local infrastructure and embarking on rezoning to better leverage that infrastructure for housing or employment.

Ensuring there are no free riders off the back of billions of dollars in taxpayer investments, through a balanced value capture or a community investment mechanism, is a concept whose time has come, because capturing some of the uplift from increased land values is an important part of fixing revenue shortfalls in the future. This brings me to the absolute imperative to continue to change Sydney's planning mindset by embracing transport oriented development across Sydney. It is a program that does not just deliver more homes while better leveraging expensive infrastructure; it also, if done with the right guardrails, can significantly improve the amenity and liveability of areas while providing a much-needed injection of alternative revenue sources for government. Just like the region itself, there is a huge amount of untapped potential in rethinking the historical policy responses that have got us to this point. It is incumbent on us to do so, particularly if we are serious about arresting the failures of governments over many generations.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the House take note of the report.

Motion agreed to.

*Business of the House***POSTPONEMENT OF BUSINESS**

The Hon. BOB NANVA: On behalf of Ms Abigail Boyd: I postpone committee reports and Government responses order of the day No. 5 until a later hour of the sitting.

The Hon. BOB NANVA: On behalf of Dr Amanda Cohn: I postpone committee reports and Government responses order of the day No. 6 until the next sitting day.

*Committees***PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW****Reports**

Debate resumed from an earlier hour.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the House take note of report No. 57 entitled *Budget Estimates 2023-2024*, dated June 2024.

Motion agreed to.

*Business of the House***POSTPONEMENT OF BUSINESS**

The Hon. BOB NANVA: On behalf of the Hon. Dr Sarah Kaine: I postpone committee reports and Government responses order of the day No. 8 until the next sitting day.

The Hon. BOB NANVA: On behalf of Ms Cate Faehrmann: I postpone committee reports and Government responses order of the day No. 9 until the next sitting day.

The Hon. BOB NANVA: On behalf of Ms Sue Higginson: I postpone committee reports and Government responses order of the day No. 10 until the next sitting day.

The Hon. BOB NANVA: On behalf of Ms Cate Faehrmann: I postpone committee reports and Government responses order of the day No. 12 until the next sitting day.

The Hon. BOB NANVA: On behalf of the Hon. Jeremy Buckingham: I postpone committee reports and Government responses order of the day No. 13 until the next sitting day.

*Bills***PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (TRANSPARENCY AND FIT AND PROPER PERSONS) BILL 2024****Second Reading Debate**

Debate resumed from an earlier hour.

The Hon. EMILY SUVAAL (17:46): I support the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024. The Government is committed to the highest standards of accountability and transparency. That is why we have introduced the bill, which makes important amendments to the Prevention of Cruelty to Animals Act 1979. These are amendments that a range of stakeholders have long been calling for. The Prevention of Cruelty to Animals Act 1979, often referred to as POCTAA, is the primary piece of legislation that provides for animal welfare in New South Wales. Under POCTAA, there are two approved charitable organisations, or ACOs, which are authorised to undertake animal welfare enforcement and compliance actions in New South Wales. These two ACOs are the RSPCA NSW and Animal Welfare League NSW, both of which operate under their own constitutions and governance structures and are independent of government.

These organisations have a long history of supporting and protecting animal welfare in New South Wales. I start by acknowledging their critical work in this space. I also recognise the scale and complexity of the compliance and enforcement operations they undertake to ensure animal welfare laws are upheld across the State. The New South Wales Government recognises the importance of transparency and accountability requirements for enforcement agencies, particularly those that are independent from government. The community rightly expects that all organisations that perform enforcement and compliance operations under New South Wales legislation are transparent and accountable. The Government is listening to those community expectations. That is why the New South Wales Government is taking action to ensure that appropriate standards are in place for the ACOs that enforce POCTAA.

I focus on three of the key transparency and accountability measures contained in the bill. These consist of the proposal to subject the ACOs to the oversight of the NSW Ombudsman; the proposal to subject the ACOs to the information access requirements under the Government Information (Public Access) Act 2009; and the proposal to table the ACO annual reports to the Minister in Parliament. Before I get into the specifics of these three key improvements, I highlight that these changes have been designed and informed by a review of previous animal welfare reform work, stakeholder consultation and the evidence provided to numerous animal welfare parliamentary inquiries in recent years. Up-to-date consultation was also specifically performed on this bill with key stakeholders. My point is that these proposals are well informed, with well-understood stakeholder views. They represent appropriate, commonsense and non-controversial transparency and accountability improvements that deliver what stakeholders have long been calling for.

I now go to the specifics of the three key transparency proposals, starting with the proposal to subject the ACOs to the oversight of the NSW Ombudsman. Presently, there is no formal external mechanism for making a complaint against an ACO as an organisation in relation to its enforcement activities under POCTAA. That means that complaints are investigated by the ACOs themselves. To address that, the bill seeks to declare the ACOs as public authorities under the existing Ombudsman legislation so that ACOs fall within the remit of the NSW Ombudsman. That means that members of the public will be provided with an appropriate external avenue to make a complaint to the NSW Ombudsman about the conduct of an ACO.

The amendment will allow the NSW Ombudsman to investigate complaints related to individual inspectors as well as the organisation generally. That is an important transparency and accountability enhancement. It also brings New South Wales in line with Victoria, Western Australia and South Australia, where equivalent ACO inspectors can be investigated by the respective State's Ombudsman. I clarify that the Ombudsman remit will only apply to conduct that relates to the exercise of the ACOs' functions under POCTAA. Conduct of an ACO that does not fall within the scope of the exercise of its functions under POCTAA will appropriately remain subject to the remit of the Australian Charities and Not-for-profits Commission as the national regulator of charities. While I have much more to say about the bill, I shall leave my remarks there. I commend the bill to the House.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:52): In reply: I thank all honourable members for their contributions to the debate. I acknowledge the contributions of the Hon. Sarah Mitchell, the Hon. Emma Hurst, Ms Abigail Boyd and the Hon. Emily Suvaal. This is a critical bill with wide public interest. The New South Wales community needs to be confident that the enforcement of animal cruelty laws is being undertaken effectively and transparently, and that persons convicted of repeat or multiple animal cruelty offences are disqualified from owning or caring for animals. The bill achieves that.

Stakeholders have made it clear that they want greater transparency and accountability regarding the enforcement activities of approved charitable organisations [ACOs]. In response, the bill provides a number of amendments to increase transparency in ACO enforcement operations by introducing modern and appropriate information-sharing provisions and supporting greater collaboration between enforcement agencies and the proactive enforcement of convicted persons and Prevention of Cruelty to Animals Act [POCTAA] provisions generally. One of the ways that the bill increases accountability and transparency is by subjecting the ACOs to the oversight of the NSW Ombudsman. That will allow the Ombudsman to investigate complaints related to individual ACO inspectors as well as the organisation generally in relation to its enforcement of POCTAA.

I foreshadow that in the Committee stage I will move an amendment to the bill relating to the Ombudsman proposal. I briefly outline that foreshadowed amendment for the record. In essence, the policy intent and the effect of the bill will remain unchanged, but the Government will move an amendment so that it sits in the Ombudsman Act rather than the regulation, because that will be repealed. I will outline the details when I move the amendment, but I state that for the record now.

I note that there has been discussion in the debate on the bill about the level of government funding provided to ACOs. The New South Wales Government is investing \$21 million into animal welfare as part of the 2024-25 New South Wales budget. The appropriate amount to be provided to approved charitable organisations for enforcement activities is currently being considered as a priority and will be distributed in accordance with the mandatory requirements of the New South Wales Grants Administration Guide. There is no way of getting around that. The Government has improved the way grants are provided to all organisations, and that includes ACOs. We are underway with that process and we will be working closely with the ACOs, but the Government has to follow the New South Wales Grants Administration Guide.

I briefly address other issues that were raised in the debate. The Hon. Sarah Mitchell raised a point regarding how the presumption of disqualification orders will impact farmers in drought. I make it clear that farmers doing the right thing will not be impacted by the bill. Stock welfare panels are unchanged by the bill and

will continue to be available in dry times to assist farmers. Stock welfare panels focus on improving outcomes through education and advice and the issuing of written warnings detailing specific animal welfare actions that must be complied with, rather than proceeding directly to prosecution. They are an effective approach for managing welfare issues of distressed stock, and will remain available to address instances of distressed stock during drought.

The Hon. Emma Hurst raised a point in relation to establishing an independent office of animal welfare. That is an election commitment from the Government, and I look forward to outlining our plans for that soon. Ms Abigail Boyd raised issues regarding the administrative burden placed on ACOs by subjecting them to Government Information (Public Access) Act [GIPAA] requirements and Ombudsman and ACO funding arrangements. I note that these are not the same as if RSPCA NSW were operating as a government department. That is appropriate. The Government acknowledges that the RSPCA currently responds to requests for information voluntarily and publishes a register that discloses the outcome of GIPAA applications on its website. There is currently a GIPAA officer allocated to incoming inquiries. However, formalising those arrangements is critical to ensure the appropriate transparency and oversight of ACO enforcement operations.

Finally, the bill delivers what stakeholders have long been calling for around transparency and the oversight of our animal welfare framework. It represents a significant step forward in modernising our animal welfare framework, which is something that the Government is committed to delivering for the people and the animals of New South Wales. I commend the bill to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this bill be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. I have three sheets of amendments, being Government amendments on sheet c2024-116A, an Animal Justice Party amendment on sheet c2024-124B, and The Greens amendments on sheet c2024-126A.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:59): By leave: I move Government amendments Nos 1 and 2 on sheet c2024-116A in globo:

No. 1 **Approved charitable organisation to be public authority for purposes of Ombudsman Act**

Page 9, Schedule 4, line 1. Omit "Regulation 2016". Insert instead "Act 1974 No 68".

No. 2 **Approved charitable organisation to be public authority for purposes of Ombudsman Act**

Page 9, Schedule 4, lines 2–11. Omit all words on the lines. Insert instead—

Section 5 Definitions

Insert after section 5(1), definition of *public authority*, paragraph (g1)—

- (g2) an approved charitable organisation, within the meaning of the *Prevention of Cruelty to Animals Act 1979*, to the extent the organisation's conduct relates to the exercise of functions under that Act,

The Government's Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024 is designed to increase accountability and transparency in approved charitable organisation [ACO] enforcement activities. One of the ways the bill achieves that is by subjecting ACOs to the oversight of the NSW Ombudsman. That important transparency measure will allow the Ombudsman to investigate complaints related to individual ACO inspectors as well as the organisation generally in its enforcement of the Prevention of Cruelty to Animals Act. As currently drafted, the bill amends the Ombudsman Regulation 2016 to declare ACOs as a public authority for the purposes of the Ombudsman Act 1974.

However, as a result of a separate Government bill, the Ombudsman and Other Legislation Amendment Bill 2024, the Ombudsman Regulation may soon be repealed. That is because the Ombudsman Regulation currently deals with only one issue, which is to define an Aboriginal program, and that definition is proposed to be incorporated directly into the Ombudsman Act 1974. Therefore, the Government will be proposing a minor amendment to the bill to replace the provisions relating to the Ombudsman Regulation with alternative provisions that achieve the same intent via direct changes to the Ombudsman Act 1974. That is necessary to ensure that the appropriate legislative changes are made to give effect to this important transparency improvement.

The Hon. SARAH MITCHELL (18:01): I speak briefly to indicate that the Opposition will support the amendments. For the reasons that the Minister outlined, this seems like quite a simple technical change, in terms of moving it from that regulation into the Act. The Opposition does not have a problem with that action.

The CHAIR (The Hon. Rod Roberts): The Hon. Tara Moriarty has moved Government amendments Nos 1 and 2 on sheet c2024-116A. The question is that the amendments be agreed to.

Amendments agreed to.

The Hon. EMMA HURST (18:02): I move Animal Justice Party amendment No. 1 on sheet c2024-124B:

No. 1 **Additional circumstances in which court may make order**

Page 4, Schedule 1[9], lines 29 and 30. Omit all words on the lines. Insert instead—

[9] **Section 31, heading**

Omit "**conviction**". Insert instead "**findings of guilt etc**".

[9A] **Section 31(1)**

Omit "convicted a person of an animal cruelty offence" from section 31(1).

Insert instead "found a person guilty of an animal cruelty offence, or has made an order, entered a special verdict or made a qualified verdict of guilt under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*, section 14, 19, 20, 31 or 62 in relation to an animal cruelty offence".

[9B] **Section 31(1AA)(b)**

Omit "paragraph (a)". Insert instead—

This amendment seeks to expand the disqualification order powers in section 31 (1) of the Prevention of Cruelty to Animals Act to ensure that the courts have the powers to make a disqualification order where the court has found someone guilty of an offence or has made an order, entered into a special verdict or made a qualified finding of guilt under the Mental Health and Cognitive Impairment Forensic Provisions Act 2020. At the moment the courts have the power to make a disqualification order only when a person is formally convicted of an offence. They do not have the power to make an order when a person is found to have committed an offence but is not formally given a conviction, for example, where the court has entered a special verdict and made a qualified finding of guilt under the Mental Health and Cognitive Impairment Forensic Provisions Act. This could include, for example, an animal hoarding situation. We know that animal hoarding is linked to mental health concerns, so it is often the case that people have been found to have committed an offence but are not convicted.

Right now there is no clear power for the court to actually make a disqualification order against those particular individuals. The result is that enforcement agencies are being forced to actually hand back animals, which could end up in further cruelty conditions. No ban is imposed on obtaining further animals. This amendment will align section 31 (1) with section 31 (1AA) inserted by the Animal Justice Party and ensure that the disqualification orders are able to be more effectively imposed by the courts to protect animals from harm. I understand the Government and Opposition both will not be opposing this amendment, and I thank them for their cooperation. It simply clarifies the intent of the disqualification orders that the Animal Justice Party had originally introduced and makes them clearer in every aspect of the Act.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:04): The Government will be supporting the amendment of the Hon. Emma Hurst. The Government is committed to improving animal welfare and ensuring that the court has the flexibility to make appropriate orders to protect animals from cruelty. By supporting this amendment from the Animal Justice Party, we acknowledge that the court is currently limited in its ability to make disqualification and disposal orders where a person is dealt with under the mental health provisions or via non-conviction orders. The amendment does not alter the proposed changes to section 31 that the Government has put forward regarding multiple or repeat offenders, which deliver on the Government's election commitment.

However, enforcement agencies have recently raised that disposal and disqualification orders cannot currently be made by the court in all circumstances where a defendant is found guilty of an offence but not convicted, even when such an order would be in the best interests of animal welfare. We note that this amendment does not mean that orders are automatically imposed. Instead, it will mean that the court has the option to impose a disposal or disqualification order in a wider range of circumstances where appropriate. These circumstances include, for example, where an act of animal cruelty has been proven but an order is made under the provisions of the Mental Health and Cognitive Impairment Forensic Provisions Act 2020 instead of recording a conviction. With this amendment, a court will now have the discretion to make a disposal or disqualification order after considering the particular circumstances of the case and the person.

Importantly, we note that the amendment does not change the safeguard currently in place in section 31 (1) that requires a court to be satisfied that the person would be likely to commit another animal cruelty offence if they were to be in charge of an animal. That means that, regardless of how a person is dealt with, the court cannot make a disposal or disqualification order unless satisfied that they would be likely to commit another animal cruelty offence. That is an important safeguard to make sure that those orders are appropriate and will remain in place. The Government's support for the amendment underscores its flexibility in addressing emerging issues raised by enforcement agencies. We are committed to working with others to address the gaps in the current animal welfare framework to deliver improved animal welfare outcomes across New South Wales. The Government does not oppose the amendment.

Ms ABIGAIL BOYD (18:07): To clarify my earlier comments, as I said, The Greens have a very similar amendment in amendment No. 1 on our sheet, but amendment No. 2 on our sheet is not covered by the Animal Justice Party's amendment. We will support the Animal Justice Party's amendment. Amendment No. 2 on our sheet covers exactly the same point. For the Minister's benefit, it just picks up one of the references to "convicted" that sits currently in paragraph (c) of the proposed changes to section 31, where there is a reference to "convicted" to also say "guilty of" in that instance.

The Hon. SARAH MITCHELL (18:08): The Opposition will support the amendment moved by the Hon. Emma Hurst.

The CHAIR (The Hon. Rod Roberts): The Hon. Emma Hurst has moved Animal Justice Party amendment No. 1 on sheet c2024-124B. The question is that the amendment be agreed to.

Amendment agreed to.

Ms ABIGAIL BOYD (18:09): By leave: I move The Greens amendments Nos 2 and 3 on sheet c2024-126A:

No. 2 Finding of guilty rather than conviction

Page 4, Schedule 1[9], line 33. Omit "convicted". Insert instead "found guilty".

No. 3 Collection, use and disclosure of information

Page 5, Schedule 1[14], lines 34 and 35. Omit "in relation to a significant risk to safety.". Insert instead—

to assist in the exercise of—

- (i) functions under this Act, or
- (ii) the functions of the relevant agency.

Now that we have the changes that have been made by the Animal Justice Party amendment, there is still this one outstanding spot which speaks about being "convicted" of an offence. All amendment No. 2 does is to instead say "found guilty" of an offence. This will prevent a situation where if somebody is found guilty of an offence but for some reason is not convicted, there is still the capacity to make further orders and we do not end up with animals being returned to owners who really should not be in charge of them anymore. As mentioned in my contribution to the second reading debate, amendment No. 3 relates to the use and disclosure of information across agencies to make it a more effective process to keep animals from harm. However, at the moment the legislation says "in relation to a significant risk to safety".

The advice we have received, and the input that we have got back from the stakeholders who have themselves sought legal advice, is that it would be very difficult to know what a significant risk to safety would be in a particular circumstance. It has been suggested that the legislation should be similar to what we had in the Greyhound Racing Act in relation to the Greyhound Welfare and Integrity Commission, where all of those different agencies involved can speak to each other if it is necessary to assist in the exercise of their functions under the Act or the functions of the relevant agency. We have put this amendment forward in an effort to try to better the bill. I commend the amendments to the House.

The Hon. EMMA HURST (18:11): I speak on behalf of the Animal Justice Party in support of both amendments moved by The Greens. I thank Ms Abigail Boyd for moving them today. Amendment No. 2 makes a simple but important change and clarification within the bill. Regarding amendment No. 3, we have also raised concerns with the Minister's office about the information sharing provisions in the bill. We need to ensure that information obtained by the agencies is able to be shared appropriately with other agencies when needed. I understand that this needs some parameters, but as it currently stands in the bill it is too restrictive. As members would be aware, there was a lot of concern about the mass slaughter of rehomed brumbies at the illegal knackery in Wagga Wagga.

During numerous inquiries, the RSPCA was interrogated about the action that it took when it inspected the property and why it failed to report the knackery to the NSW Food Authority for investigation. This is a prime example of why we need to ensure that the RSPCA has adequate information sharing powers to ensure that if it comes across information and is unable to prosecute or take appropriate action, it is then able to share that information with another agency that may be able to. It is often the case that the RSPCA or the Animal Welfare League NSW may receive information about potential domestic violence situations or other criminal behaviour similar to those at the Wagga Wagga property. We need to make sure that the law is clear in its power to actually pass that information on to other agencies. We do not want that bar to be too high, otherwise there may be more situations like Wagga Wagga which are not passed on to the NSW Food Authority. For those reasons we support these amendments moved by The Greens.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:13): I thank members for participating in the debate and for the way it has been conducted in relation to these amendments. The Government will be supporting amendment No. 2 for the purposes of clarity. It aligns with the original amendment No. 1 and matches up with the Animal Justice Party amendments which the Government supported. The Government does not support amendment No. 3. The amendment proposes that the collection, use and disclosure of information provisions in the bill would broaden the functions of the relevant agency without caveat. For example, the information captured need not relate to this particular Act.

This is concerning given that the approved charitable organisations have functions that are different and separate from their functions under the Prevention of Cruelty to Animals Act [POCTAA]. Information collected by these organisations while they are carrying out functions under POCTAA should only be used for functions related to the administration and enforcement of POCTAA. Changes to information sharing powers, especially those that involve personal information, is not a step to be taken lightly. I understand the motivations of the member, but this is something that has to be properly considered if we are looking at expanding the remit. Privacy considerations must be taken into account, as they have been during the drafting of this bill, in consultation with the Information and Privacy Commissioner. The amendments have not been subject to this same scrutiny.

The Government's bill already provides ample information sharing provisions and is an improvement on the current Act. We believe they strike the right balance between enforcement and compliance, and need and privacy. The bill provides that a relevant agency may collect, use or disclose information if it is reasonably necessary for the purposes of administering or enforcing the Act or the regulations. The Government maintains that its proposal strikes the right balance and that the amendment proposed by The Greens is not appropriate or necessary in the context of this bill.

The Hon. SARAH MITCHELL (18:16): I speak on behalf of the Opposition in support of amendment No. 2 for the reasons that everyone else has said. It makes sense to be consistent in the language throughout the bill. It is a bit of a no-brainer. The Opposition does not support amendment No. 3, largely for the same reasons that have been outlined by the Minister.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 2 on sheet c2024-126A. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 3 on sheet c2024-126A. The question is that the amendment be agreed to.

Amendment negatived.

The CHAIR (The Hon. Rod Roberts): The question is that the bill as amended be agreed to.

Motion agreed to.

The Hon. TARA MORIARTY: I move:

That the Chair do now leave the chair and report the bill to the House with amendments.

Motion agreed to.

Adoption of Report

The Hon. TARA MORIARTY: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. TARA MORIARTY: I move:

That this bill be now read a third time.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. TARA MORIARTY: I move:

That this House do now adjourn.

REX AIRLINES

The Hon. WES FANG (18:19): Tonight I speak on the very important subject of Rex Airlines. As someone who was born, raised and still lives in Wagga Wagga, I understand the value of Rex. It is a part of the Wagga Wagga community. Rex arose from the ashes of the collapsed Ansett Group, when two of its regional airlines, Hazelton Airlines and Kendell Airlines were merged. Its Saab aircrafts have travelled all across New South Wales. Some of us in this place have travelled with Rex to committee hearings across the State. We know Rex. We know the airline. It does what other airlines will not do. It goes to small places, travels less profitable routes, because its motto is "Our heart is in the country."

When I was in high school, I was fortunate enough to be in the running for an apprenticeship with then Kendell Airlines. When I went for my interview, I spoke about the fact that I had always had an interest in aviation and would, one day, like to work around aircraft. I had hopes of getting my pilot's licence. They said, "If that's what you want to do, go to university. You could be an engineer here, but if you really want to be a pilot, go to university". Luckily, I listened to what they said. I studied aviation and I was fortunate enough to go back and do work experience with Kendell Airlines while I was still at university, so I could better understand the practical aspect of the theory I was learning. I will never forget that.

That airline has meant so much to me and my family. My father worked for Rex for a period, not only in the stores, in the maintenance facility, but he was one of the chefs in the pilot academy. So I have a real affinity for Rex and what it does, and I see real challenges for rural and regional New South Wales if Rex ceases operation. That is why I have called on the Minns Labor Government to honour the commitment that the Premier made when he discovered that Rex was going into external administration. He said he would support our rural and regional communities. But it has been a week now, and I am not sure what the Premier is planning to do with Rex. There has been no announcement.

I do not know what work has occurred between the Premier and the Federal transport Minister, Catherine King. I do not know if there is any plan at all for this State Government to support our communities and the jobs Rex provides in Wagga Wagga at its maintenance facility and its pilot academy. There has been only silence. That is what we have come to expect from this Labor Government. It will tell the media what it feels people want to hear, but ultimately there has been no support put on the table for Rex. So I am again calling on the Labor Government to tell the people of Wagga Wagga, to tell Rex, how it will support them, so that doctors can continue to travel to far-flung places in New South Wales and so that people can get to medical treatment. What is the Government going to do to support the regional airline that flies to our communities?

PARLIAMENT OF SOLOMON ISLANDS

The Hon. STEPHEN LAWRENCE (18:24): In June I travelled with Mark Taylor, MP, and parliamentary staff members Simon and Eline to Honiara, Solomon Islands, to assist in the induction program conducted for members of the 12th National Parliament of Solomon Islands. We attended as part of the twinning relationship between our New South Wales Parliament and the National Parliament of Solomon Islands [NPSI], with a sense of humility. To assist in the induction of MPs from another country is an honour and a daunting task. The NPSI meets in a beautiful chamber on Vavaya Ridge, which overlooks the famous waters of Ironbottom Sound. The chamber is striking indeed. It is intricately designed, containing artistic depictions of the provinces, cultures and natural beauty of the Solomon Islands. The theme of "Youth" was threaded through the induction program. Dr Aidan Craney, an Australian academic who specialises in Pacific youth issues, was one of the facilitators.

Solomon Islands is a dramatically young country, with 75 per cent of its people aged under 35. Many of its youth struggle to obtain adequate education and then paid employment. The country suffers youth-led riots and civil unrest on a fairly regular basis, often around flashpoint events such as elections or sporting events. That said, with all its stark social and economic indicators, the real wonder of the Solomon Islands is in fact its stability,

flowing from the strong ties that support and hold families, villages, tribes and peoples together. We learned that at the heart of all this is family, extended family, church and culture. We had the opportunity in Honiara to watch a wonderful dance and drama performance by young performers from the Dreamcast Theatre. The adamant line "We are not a time bomb", boldly declared by a young dancer, was a key line of one part of the performance. I found it incredibly thought-provoking. The youth of a country can never be the enemy, a time bomb, for indeed they are the future.

The trip in June was not my first to the Happy Isles. In 2004 I moved to Honiara as a young man, still in my twenties, to work as a public defender as part of the Regional Assistance Mission to Solomon Islands. Many of my clients were youth who had, for various reasons, been drawn into armed groups as their country fell apart. It was an armed conflict caused by a mixture of factors: a financial crisis, the decline of the state, longstanding grievances over land, and perhaps the example of the Bougainville Revolutionary Army that in the 1990s formed and shut down the massive mine on Bougainville—another place whose Parliament has a twinning relationship with ours. A generation of Solomon Islanders had their lives, their education, their employment and the national life of their country affected by armed conflict, and the country is still recovering.

While living in post-conflict Honiara back in the day, I met Mr Warren Cahill, then the recently departed Clerk of Committees and Usher of the Black Rod of this Parliament. Warren had moved to Honiara to work with the United Nations Development Programme [UNDP] on a project then aimed at strengthening the institution of the NPSI. Warren is a real character and back then, I believe, was the best-dressed man in Honiara. We became great friends over our shared years in the Solomon Islands. We managed to get ourselves involved in many of the issues and dramas of the day, survived some riots and on occasion got to know the nightclubs of Honiara together. Little did we know then that I would end up working here, in the Parliament he had just come from.

Since his departure from Honiara, Warren has done similar work in many national parliaments, including in Somalia, Myanmar and Bangladesh, and has had some truly hairy experiences. He really should write a book. Warren was engaged by the UNDP to help deliver the induction program, and it was wonderful to be reunited with him. In fact, Warren was one of the driving forces behind the development of the twinning program. He leaves a wonderful legacy behind, which includes his close relationships with so many members of the parliamentary staff, past and present. I too formed lifelong friendships in the Solomon Islands. One of the real joys of my week there was sitting on a panel with Attorney General John Muria Jnr and private lawyer John Taupongi—two friends of mine I knew as young lawyers back in the day, now experienced practitioners serving their country well.

Our trip to Honiara took place at a time of growing and obvious engagement between China and Solomon Islands. Signs of that engagement, and our longstanding relationship with the country, abound in Honiara. I will not comment on those geostrategic matters, except to say the twinning relationship between two democratic parliaments is assistance of a kind that the People's Republic of China cannot, by definition, provide. In the past, Australian government money was provided through State governments for programs of this nature. That funding ceased some time ago and its reinstatement might be worth considering. I was very honoured to be a part of the induction and to make a contribution to the twinning relationship. Long may it continue and serve the people of our two great countries, which are so close yet so different. I hope in that difference we find a deeper friendship.

HOUSING DEBT

The Hon. TANIA MIHAILUK (18:29): There is no doubt Australians are living through trying times, especially when it comes to housing. The aftermath of the former Coalition Federal Government's pandemic habit of throwing money at the States to fund lockdowns and border closures, while artificially propping up the economy with government handouts, coupled with the current Labor Federal Government's financial incompetence, has caused runaway inflation. To temper this, the Reserve Bank presided over 13 interest rate rises in a row, with the possibility of more to come. That has sent many Australians off the mortgage cliff. For Australians with a mortgage who are also staring down the barrel of retirement, the outlook is much bleaker than they envisioned when they achieved the great Australian dream of owning their own home. It seems now that in Australia, people who own a home are, to some extent, punished.

Household debt in Australia has been growing. According to the latest figures released from the Australian Bureau of Statistics, average household debt grew by 7.3 per cent to \$261,492 in 2021-22. As for Australians on the way to retirement age, new research from AMP released in December 2023 revealed one in nine Australians over the age of 50 expect to have more than \$250,000 in unpaid debt when they retire. In addition, one in three are not confident their nest egg will provide for an adequate lifestyle in retirement, and three in five believe staying in their family home is more important than a higher income in retirement.

Given the cost-of-living crisis and elevated levels of debt heading into retirement, it is getting harder and harder for Australians to stay in the family home that they saved and worked hard for throughout their lives, where

they raised their children and cultivated a lifetime of memories. That is no wonder, considering that according to a 2023 Australian Housing and Urban Research Institute report, mortgage debt for older Australians has surged 600 per cent over the past three decades. Nevertheless, it is not fair.

However, there is a solution to carrying copious mortgage debt into retirement, and that is superannuation—namely, allowing Australians over 50 or thereabouts to access their super to pay down mortgage debt, thus granting them relief from that burden in retirement. In recent years, there has been a large-scale precedent for granting people access to their super before retirement age. The Coalition's pandemic policy of early release of up to \$20,000 of super to eligible individuals well and truly ripped open that vein, with a total of \$37.8 billion released. While the policy no doubt provided much-needed relief to people suffering financial hardship, thanks to Australia's response to COVID, we can also see the longer term consequences in today's inflation.

Similarly, the Coalition's housing policy leading into the 2022 Federal election to allow first home buyers early access to up to 40 per cent of their super for a deposit, at no more than \$50,000, rattled the superannuation cage again. Additionally, that policy looks to be expanded. At a May 2024 Senate economics committee, it was proposed that the percentage cap be removed to allow first home buyers to potentially take out all their super, with the dollar threshold to be increased to \$100,000, \$150,000 or no limit.

It is understandable that the Federal Parliament is suggesting the early release of super for that purpose, because entering the housing market is an increasingly unattainable dream for many younger Australians. Allowing the use of super for a house deposit would seem an easy fix. However, that policy would only benefit people with substantial super balances and put upward pressure on house prices. It would do little to solve the housing affordability crisis for those on lower incomes and would likely freeze them out of the market forever. That is why granting early access to those over 50 to pay down mortgage debt is the commonsense solution when it comes to using early super access to improve quality of life.

Naturally, there will be fierce opposition from Labor. According to the Association of Superannuation Funds of Australia, total superannuation assets were \$3.9 trillion at the end of the March 2024 quarter, increasing by 4.2 per cent over the quarter. That is a lovely cache of cash, ripe to be leveraged to fund the Labor Federal Government's renewable energy agenda. But that money would be better spent supporting families doing it tough now. The mortgage debt that is crippling Australia's economy must be addressed. This is one way of alleviating the pressure on people who have worked their entire lives for a home. Superannuation could be used for that rather than the agenda of renewable energy.

HOMELESSNESS SUPPORT SERVICES

The Hon. NATASHA MACLAREN-JONES (18:35): It is estimated that over 120,000 people across Australia lack stable housing, affecting physical and mental health, education and employment opportunities. In New South Wales alone, over 35,000 people are without a place to call home, with annual reports of over 7,000 unaccompanied minors presenting to specialist homelessness services. This week is Homelessness Week and, sadly, we are all reminded that the crisis has worsened under Labor. Specialist homelessness services are overwhelmed, and countless families struggle to maintain their housing with no relief.

The 2024 Statewide Street Count recorded 2,037 people sleeping rough in New South Wales, which is a staggering 26 per cent increase from 2023. Additionally, the number of Link2home calls has surged under Labor from 54,777 to 86,842 between April to June 2023 and April to June 2024. Under Labor, wait times for the Link2home service have ballooned from seven minutes to nearly 39 minutes, with reports of some youth workers waiting 1½ hours on hold trying to assist their client. Parents with children, young people and seniors in urgent need of assistance are waiting almost 40 minutes to speak to someone. No-one should face such barriers in times of crisis.

Recent data from Mission Australia's Youth Survey Homelessness Report 2024 reveals alarming trends among young people aged 15 to 19. Close to one in 10 respondents experienced homelessness in the past year. Forty-two per cent sought financial help or could not afford essentials like food, housing or transport, compared to 10 per cent with stable housing. Forty-seven per cent felt alone most of the time, compared to 18 per cent with stable housing. Forty-one per cent identified as having a mental health condition, compared to 13 per cent with stable housing. Forty-six per cent found it hard to fit in and socialise, compared to 26 per cent with stable housing. Thirty-four per cent experienced strained or poor family relationships, compared to 5 per cent with stable housing. Those statistics highlight the severe hardship and anxiety faced by young people at risk of or experiencing homelessness, and the failure under this Labor Government to provide adequate support.

Across the State numerous organisations are supporting our most vulnerable people. Some receive Government funding; some rely on grants or philanthropic support. For over 32 years, Project Youth in Miranda

has been helping young people aged 12 to 14 years by providing early intervention and supports in the Sutherland Shire, Georges River and Bayside areas. Each year CEO Jodie Darge and the dedicated team at Project Youth support up to 3,000 young people through challenging times. Despite their remarkable efforts, due to lack of funding, Project Youth will turn away 958 young people who reach out for housing support and assistance.

Regional Youth Support Services is another great organisation based on the Central Coast, managed by CEO Kim McLoughry. The service has been operating since 1986 and has been instrumental in supporting at-risk youth on the Central Coast between the ages of 12 and 25. Two years ago it opened a youth hub, which has supported over 2,600 individuals. It was funded under the Commonwealth Government's Safer Communities program, which was established by the Liberals and The Nationals at the time. However, the Albanese Government has cut the program, which has proven to help young people in crisis in the region as well as reduce youth crime. Unfortunately, the hub has now been forced to close.

Regional Youth Support Services is not the only service let down by Labor. On the South Coast, Safe Shelter Shoalhaven and Safe Waters Community Care at Ulladulla provide accommodation for the South Coast's homeless population. The Minister assured that Safe Shelter Shoalhaven and Safe Waters Community Care would be included in the regular funding rounds for homelessness services beyond 30 June. However, a month after the State budget was announced, the CEO of Safe Shelter, Peter Dover, stated he was still waiting for confirmation of whether any funds had been allocated to the organisation. I understand he had discussions with the Minister and the member for South Coast and has publicly stated, "I can't get any information out of them." He added, "It's quite frustrating."

The homelessness crisis we face in New South Wales demands urgent action by the Labor Government. The increasing number and stories of individuals and families struggling to find support underscore the critical need for both immediate relief and long-term solutions. The Government must ensure ending homelessness is a priority and that both specialist homelessness services and community organisations—particularly youth services who have been overlooked in the budget—are adequately funded to meet the growing demand for services. It is time for the Minister to act decisively, deliver financial support to our most vulnerable and address the homelessness crisis facing our State.

TRANSGRID ENTERPRISE AGREEMENT

The Hon. CAMERON MURPHY (18:39): Tonight I will speak of the ongoing industrial dispute between the private operator of the transmission network in this State, Transgrid, and its employees, represented by the Electrical Trades Union [ETU]. The Electrical Trades Union members at Transgrid have been negotiating in good faith since October 2023 in an attempt to reach agreement on a new enterprise agreement that would secure good conditions and a pay deal that keeps pace with the cost-of-living crisis. Unfortunately, Transgrid refused, and is still refusing, to meet the reasonable requests of fair pay and conditions for the workers engaged in essential energy projects. Despite months of attempted negotiations, ETU members began protected industrial action in January this year and in recent weeks have been operating a picket outside Transgrid's offices in Ultimo 24 hours a day, seven days a week.

Last month I had the pleasure of visiting the picket line and speaking to electrical workers and ETU members. I spoke to workers from Goulburn, Coffs Harbour and Newcastle, who all told me their stories about why they need Transgrid to negotiate properly. They explained that workers at Transgrid are simply fighting for wage rises that keep up with the cost of living and conditions that will keep them safe while they work onsite. This really is the bare minimum for essential workers who power our State and who are relied upon to deliver the renewable energy transition in New South Wales. The highly skilled workers at Transgrid maintain the transmission network and the critical grid infrastructure in our State. They also will be central to Australia's transition to renewable energy, with responsibility for connecting new renewable generation projects to the grid, and the construction and maintenance of the vital transmission infrastructure needed for a carbon-neutral future.

Existing enterprise agreements at Transgrid have locked in pay increases below inflation, meaning these workers' pay has gone backwards in real terms year after year. It is unacceptable that essential workers are being offered wages that do not allow them to pay for their mortgages or rent, put fuel in their cars or place food on the table. During the negotiations, Transgrid made repeated offers to their workers that are not in line with industry standard across Australia and fail to keep up with cost-of-living pressures. Transgrid CEO, Brett Redman, has steadfastly refused to meet with ETU representatives at Transgrid or to even discuss the pay dispute or the future for many of these Transgrid workers, even while they stand outside his office building across the road in cold winter temperatures.

Transgrid is a multibillion-dollar company, now privately owned by a majority of offshore investment and equity funds, following the previous Liberal-National Government's disastrous decision to privatise our State's electricity infrastructure. There can be no explanation, other than greed, as to why a multibillion-dollar

multinational is attempting to short-change these highly skilled and hardworking electrical workers during a cost-of-living crisis. I was pleased to have had the opportunity to visit the ETU's picket line outside Transgrid head office. In fact, I visited twice, and I note a number of my parliamentary colleagues also attended that picket line, including the Hon. Anthony D'Adam, the Hon. Stephen Lawrence, the Hon. Emily Suvaal, Ms Abigail Boyd and, from the other place, the members for Leppington, Campbelltown and Parramatta.

I am proud to stand in solidarity with Transgrid workers and their union as they fight for a wage rise commensurate with the cost-of-living crisis that we are facing. Transgrid employees work hard every day to keep our State going. It is only right that they get paid what they deserve. I urge Transgrid to bring this dispute to an end and come back with an appropriate offer, rather than attempting to drag negotiations into intractable bargaining. I commend the ETU for their tireless advocacy and action on behalf of their members.

GREEN HYDROGEN ENERGY

The Hon. ROD ROBERTS (18:45): Tonight I touch on the idea of intentions. Intentions are a nice thing. Someone may intend to become the world's richest man or woman. Maybe they intend to be an astronaut, date a supermodel, or become an MLC in the New South Wales upper House. These are all very admirable intentions, even if I say so. Maybe they intend to power the State with green hydrogen energy—again, another admirable intention. So admirable is it that, in fact, as a State, \$92 million of taxpayer money is committed to realise this intention on top of the over \$300 million of taxpayers' money federally that has already been thrown into the green hydrogen furnace, thanks to the then Minister, Josh Frydenberg.

But then there is the concept of reality. Reality does not care about intentions. Reality does not care about strategies, projections, forecasts or expectations. Reality is as reality does. That is the conundrum that New South Wales finds itself in. The Hon. Penny Sharpe and the Labor green energy government intend to make green hydrogen power a thing. The reality so far, though, is that despite the Government's generous investment of everybody else's money into building it, no such development has occurred. In fact, not a drop, zap or flicker of green hydrogen energy has powered anything in New South Wales—no hair dryers, light bulbs, heaters, air conditioners, hospitals, schools or streetlights—nothing. Nada. Zip. Zilch. The question that remains now is: How did we come to get the intentions so right and the reality so wrong?

It comes down to a bloke nicknamed Twiggy, who promised that hydrogen could create tens of thousands of jobs across the country, including in New South Wales. Andrew Forrest thought it was so simple. All we had to do was—I am quoting him—"run electricity through water". Then, once we have managed that feat of science and magic, green hydrogen was to make Australia \$12 trillion richer by 2050—\$12 trillion, for the equivalent of putting a toaster in a bathtub. It was all so simple. Then Chris Bowen came in and the taxpayer bill went from \$300 million to \$2.5 billion Australiawide. Perhaps taxpayers would be more forgiving of noble intentions going awry if it were not that they were being bankrupted in the process. Let me speak frankly. The concept of green hydrogen energy makes no sense. Using intermittent green energy to make more green energy sounds like one of those ideas that only so-called experts and politicians are dumb enough to endorse. It is one of those circular economy ideas that is mentioned in boardrooms and parliaments around the world before it disappears, along with bagfuls of taxpayer dollars. It is not just me proving it is ridiculous. Reality is proving it is ridiculous.

Twiggy said that green hydrogen only works with cheap energy prices, and energy prices have just skyrocketed in recent months—thanks to the many shortcomings of renewables. We are, as reported, in a wind drought, which means that power prices are going up and dreams of a green hydrogen future grow more distant. As a result, Twiggy's company, Fortescue, has slashed 700 jobs. Again, the intentions were there, but the reality was not. What was supposed to bring thousands of jobs and trillions of dollars resulted in job cuts and millions lost. Once again, the people of New South Wales are stuck with the cost of fantasy while more money transfers from the State coffers funded by the taxpayer to the already wealthy.

This is not an attack on renewable energy per se. As I have stated many times before, there are in fact two forms of green energy—good green energy and bad green energy. Importantly, good green energy works. It aligns intentions with reality. Nuclear is an example of good green energy. It is used by almost every single advanced economy in the world to great effect, and it does not die off during wind droughts. Another form of good green energy is that proposed at the Redbank Power Station. Bioenergy and biomass, unlike intermittent renewables, suit scrub-heavy arid lands like Australia. It comes at little cost and it is ready to go—right here, right now. It is effectively plug and play, and is already connected to the grid. Bad green energy is one that does not work and bankrupts people in the process. All the good intentions in the world cannot save green hydrogen. All the taxpayer funds and fanciful projections cannot save it. New South Wales needs a serious switch to more reliable forms of energy. We cannot power a State with good intentions.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 18:50 until 7 August 2024 at 10:00.