

# LEGISLATIVE COUNCIL

**Wednesday 7 August 2024**

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

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

## *Documents*

### **PUBLIC SCHOOLS SEXUAL ASSAULT**

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

**The Hon. CHRIS RATH (10:02):** On behalf of the Hon. Sarah Mitchell: I move:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents, excluding any documents previously returned under an order of the House, created since 1 January 2023 in the possession, custody or control of the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney, or the Department of Education relating to sexual assaults at public schools:

- (a) all documents relating to the international evidence review on managing sexual assaults commissioned by the Department of Education from the University of New South Wales, including the final report;
- (b) all briefings provided to the Minister regarding the report of the international evidence review on managing sexual assaults commissioned by the Department of Education from the University of New South Wales; and
- (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

**Motion agreed to.**

### **NARRABEEN ATHLETICS TRACK**

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

**The Hon. NATASHA MACLAREN-JONES (10:02):** I seek leave to amend private members' business item No. 1185 by omitting "14 days" and inserting instead "21 days".

**Leave granted.**

**The Hon. NATASHA MACLAREN-JONES:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, in electronic format if possible, in the possession, custody or control of the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport, the Minister for Industrial Relations, and Minister for Work Health and Safety, the Office of Sport or Insurance and Care NSW (icare) relating to the Narrabeen athletics track:

- (a) the report from Technical Assessing Holdings Pty Ltd to Insurance for NSW/icare, dated 22 December 2023;
- (b) the correspondence from Karen Jones, Chief Executive, Office of Sport, to Technical Assessing Holdings Pty Ltd, dated 21 December 2023;
- (c) the email from Claire El-Ali, icare, to Stephen Brown, icare, on 21 December 2023 at 4.59 p.m.;
- (d) the email from Stephen Brown, icare, to Claire El-Ali, icare, Gabriella Dessanti, icare, and Nathan Agius, icare, on 21 December 2023 at 5.20 p.m.;
- (e) the email from Gabriella Dessanti, icare, to Stephen Brown, icare, Claire El-Ali, icare, and Nathan Agius, icare, on 21 December 2023 at 5.29 p.m.;
- (f) the email from Claire El-Ali, icare, to Matthew Gordan, icare, on 22 December 2023 at 9.05 a.m.;
- (g) the Organisational Risk Register, Office of Sport, on the Narrabeen athletics track;
- (h) the Risk Assessment Tables OoS A3 v2.1, Office of Sport, on the Narrabeen athletics track;
- (i) the Risk Assessment, Technical Assessing Holdings Pty Ltd, on the Narrabeen athletics track;
- (j) all documents created since 1 December 2023 relating to icare's or the Office of Sport's decision for the Narrabeen athletics track to be closed;
- (k) all documents regarding legal liability of icare or the Office of Sport to lessees or track users who are required to provide their own public liability insurance coverage as a condition of their lease or usage agreement;

- (l) all documents received by icare or the Office of Sport relating to icare's decision of 17 May 2024 on the Government Information (Public Access) application made by Manly Warringah Athletics Club on 19 March 2024; and
- (m) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

**Motion agreed to.**

### *Motions*

#### **MIGRANT WORKERS**

**The Hon. STEPHEN LAWRENCE (10:03):** I move:

- (1) That this House notes that:
  - (a) New South Wales has seen a major influx of migrant workers in recent years, particularly under the Pacific Australia Labour Mobility [PALM] scheme;
  - (b) migrant workers perform important work in a range of industries including agriculture, meatworks and aged care;
  - (c) migrant workers are at particular risk of exploitation;
  - (d) a disturbing trend has emerged of migrant workers not being treated appropriately, including workers being paid as little as \$3 an hour, receiving less than the required 30 hours a week of work, being threatened with visa cancellation, having their passports withheld by employers, being pressured into paying an up-front payment for a job and having workplace entitlements such as superannuation and paid leave refused;
  - (e) on 27 July 2024 the Premier announced the Government will invest \$6.5 million over four years to develop a Migrant Workers Centre which will provide advice, education and training to stop the exploitation of migrant workers in New South Wales;
  - (f) joining a trade union is a major step workers can take to protect themselves from exploitation; and
  - (g) the undermining of the rights and conditions of migrant workers can jeopardise the rights of all workers.
- (2) That this House condemns any exploitation of migrant workers and recognises their full human and industrial rights and the absolute requirement for them to be treated according to law.

**Motion agreed to.**

#### **NATIONAL PARLIAMENT OF SOLOMON ISLANDS**

**The Hon. STEPHEN LAWRENCE (10:03):** I move:

That this House notes that:

- (a) from 16 to 21 June 2024 members and staff of the Parliament of New South Wales travelled to Honiara, Solomon Islands, to assist in the induction of new members of the National Parliament of Solomon Islands [NPSI] and to continue and strengthen the twinning partnership between the two parliaments;
- (b) the members were the Hon. Stephen Lawrence, MLC, and Mr Mark Taylor, MP, accompanied by staff Mr Simon Johnston and Ms Eline Saleusile;
- (c) in the week prior to the induction program, Deputy Speaker, the Hon. Sonia Hornery, MP, and Deputy President, the Hon. Rod Roberts, MLC, met with Speaker Patteson Oti to reaffirm the New South Wales Parliament's commitment to the twinning arrangement;
- (d) during the visit, which coincided with a sitting of the National Parliament of the Solomon Islands, the Deputy Presiding Officers were present at the launch of the NPSI Members' Guide, a foundation document for new members prepared by NPSI staff with editing assistance from New South Wales Parliament, with Mr David Blunt, Clerk of the Parliaments, also present;
- (e) the twinning program, initiated by the Commonwealth Parliamentary Association in 2007, is designed to promote collaboration and understanding between parliaments to ensure they fulfil their legislative, representative and oversight roles;
- (f) in the induction program just completed current and former members of the NPSI, senior office holders of constitutional bodies, and other local and regional experts joined regional and international members (and former members) from a range of parliaments, including New South Wales, Fiji, Papua New Guinea and New Zealand, to assist members of Parliament to contextualise established good practice and experience to the Solomon Islands context;
- (g) Speaker Oti in closing remarks at the conclusion of the program expressed satisfaction with and gratitude for the New South Wales Parliament's participation in the program; and
- (h) the twinning program has established a deep and enduring relationship between the two parliaments which is of benefit to the people of New South Wales and Solomon Islands.

**Motion agreed to.**

#### **STANDBYU FOUNDATION**

**The Hon. RACHEL MERTON (10:03):** I move:

- (1) That this House recognises the outstanding and innovative work of the StandbyU Foundation in supporting individuals and families at risk of domestic abuse.
- (2) That this House commends the StandbyU Foundation for its development of the StandbyU Shield, a smartwatch-based system that ensures individuals at risk can connect to their support networks, enhancing their safety and wellbeing.
- (3) That this House applauds the leadership and vision of Chris Boyle, founder and executive director of the StandbyU Foundation, for his leadership in tackling the domestic abuse sector through formalising and enacting a critical support network relevant to concerned individuals and families.

**Motion agreed to.**

### **HUMANITY MATTERS ORGANISATION**

**The Hon. RACHEL MERTON (10:04):** I move:

- (1) That this House acknowledges Humanity Matters and the valuable work it does creating dynamic connected communities that embrace and support young people.
- (2) That this House notes that:
  - (a) Humanity Matters has been serving the community for over 30 years with a strong focus on south-western Sydney; and
  - (b) corporate volunteers, young people and community members play a critical role in building communities where vulnerable disengaged young people can experience acceptance, inclusion and appreciation.
- (3) That this House commends the important and critical work of Humanity Matters under acting chief executive officer Selim Ucar.

**Motion agreed to.**

### **EDWIN "EDDIE" MIFSUD**

**The Hon. MARK BUTTIGIEG (10:04):** I move:

That this House notes that:

- (a) on 28 July 2024, at the NSW Labor State Conference, Mr Edwin "Eddie" Mifsud was awarded the honour of life membership of the New South Wales Labor Party;
- (b) like the Hon. Mark Buttigieg, MLC, Eddie is proudly of Maltese heritage, moving to Australia in 1982 with his wife, Mary, and joining Labor just two months after arriving;
- (c) Eddie brought up his children around Western Sydney and was one of the earliest residents of the suburb St Clair;
- (d) local members know Eddie well as an absolute stalwart of the movement, working on every single local, State and Federal campaign for the last 40 years, as a true believer and hard worker, who has also been a part of Penrith Council's East Ward ticket multiple times;
- (e) today, Eddie is a proud grandfather, who at 84 still works on the tools; and
- (f) the Mulock-Nepean branch nominated Eddie for life membership, with support from the Hon. Mark Buttigieg, MLC, and Mr Garion Thain, senior vice-president of the Mulock-Nepean branch.

**Motion agreed to.**

### **RONALD MCDONALD HOUSE CHARITIES CENTRAL WEST WINTER GALA BALL**

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

- (1) That this House notes that:
  - (a) the annual Ronald McDonald House Charities Central West 2024 Winter Gala Ball was held in Orange on 13 July 2024; and
  - (b) Ronald McDonald House Orange opened on 13 April 2015 after 10 years of fundraising by the local community.
- (2) That this House acknowledges:
  - (a) the important service Ronald McDonald House Orange provides to the Central West region in providing home-away-from-home support for the whole family with a comfortable place to stay and peace of mind, knowing they can stay together and close to the Orange Health Service Hospital;
  - (b) the 2024 Ronald McDonald House Charities Central West 2024 Winter Gala Ball raised over \$330,000; and
  - (c) since 13 April 2015 Ronald McDonald House in Orange has supported 1,546 families, provided over 11,721 nights of free accommodation, and its volunteers have contributed over 102,662 hours of their time.
- (3) That this House congratulates the Ronald McDonald House Charities Central West NSW chief executive officer, Rebecca Walsh, and her entire team for the running of this very important event with the support of local businesses, community members and the Central West McDonald's franchise owners Todd Bryant and Damion Poole.

**Motion agreed to.**

*Committees***PROCEDURE COMMITTEE****Reference**

**The Hon. MARK LATHAM:** I move:

That the Procedure Committee inquire into and report on the introduction of a standing order, similar to Standing Order 94 (a) in the Australian House of Representatives, allowing the Presiding Officer in question time to immediately suspend a member from the service of the House for one hour for disorderly conduct.

**Motion agreed to.**

*Documents***UNPROCLAIMED LEGISLATION**

**The Hon. PENNY SHARPE:** According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 6 August 2024.

*Committees***REGULATION COMMITTEE****Reports**

**The Hon. NATASHA MACLAREN-JONES (10:06):** I table a report of the Regulation Committee entitled *Delegation Legislation Monitor No. 7 of 2024*, dated 7 August 2024. I seek leave to make a short statement regarding the monitor.

**Leave granted.**

**The Hon. NATASHA MACLAREN-JONES:** I draw the attention of the House to an instrument examined in the committee's *Delegated Legislation Monitor No. 7 of 2024*. The Design and Building Practitioners Amendment (Miscellaneous) Regulation 2024 amends the Design and Building Practitioners Regulation 2021. As substituted by the amending regulation, schedule 1 [5], clause 106 provides an exemption for registered building practitioners from the insurance requirements under the Design and Building Practitioners Act 2020 until June 2025. A similar exemption existed in the regulation from 1 July 2022 to 30 June 2023, and then 1 July 2023 to 30 June 2024. This clause means registered building practitioners remain exempt from what is arguably a key obligation under the Act, more than four years since the Act came into effect.

Clause 106 references section 107 (5A) of the Act as the relevant regulation-making power. The reference to a "maximum period of 12 months" in section 107 (5A) (b) suggests the intention may have been to limit the period of operation of the exemption to a total period of 12 months, rather than successive periods of 12 months. Even if it is not the case that section 107 (5A) contemplates a one-off exemption, in the committee's view it is arguably beyond the scope of the regulation-making powers under the Act for this exemption to be made more than a few times, undermining the scheme and related obligations established by the Act. While the committee recognises the practical reasons for the exemption, being the fact that the requisite insurance policy is not available on the market, the committee considers that repeated exemptions for registered building practitioners in anticipation of an adequate insurance scheme is not an appropriate use of the relevant regulation-making power as articulated and debated in Parliament.

As this is the first time the committee has identified this issue and drawn it to the attention of the Minister, the committee is not recommending the amendment regulation be disallowed on this occasion. The committee strongly suggests that consideration be given to an alternative legislative solution before 30 June 2025 to support the ongoing deferral of insurance requirements, in light of the prevailing constraints, through an amendment to the Act. Further, the committee notes that if an alternative legislative solution is not in place, and the exemption is extended again by way of regulation, it is highly likely the committee will recommend that it be disallowed on that occasion. The committee therefore suggests that the Minister advise the committee before the first sitting day of 2025 on how the department intends to respond to the scrutiny concerns identified in the monitor, including the legislative approach to be taken, and draws the instrument to the attention of the House.

**STANDING COMMITTEE ON SOCIAL ISSUES****Reference**

**The Hon. Dr SARAH KAINE:** I inform the House that in accordance with paragraph (8) of the resolution of the House establishing the subject standing committees, the Standing Committee on Social Issues resolved on 6 August 2024 to inquire into the following reference from the Attorney General, the Hon. Michael Daley, MP:

**Impacts of harmful pornography on mental, emotional, and physical health**

That the Standing Committee on Social Issues inquire into and report on the impacts of harmful pornography on mental, emotional, and physical health, with particular reference to:

- (a) age of first exposure to pornography and impacts of early exposure to pornography;
- (b) media by which pornography is accessed and circulated;
- (c) impacts on body image;
- (d) the relationship between pornography use and respect and consent education;
- (e) the production and dissemination of pornography, including deepfake or AI-generated pornography;
- (f) the impact of exposure to violent and/or misogynistic pornography on children, teenagers and young adults;
- (g) impacts on minority groups, including but not limited to First Nations, CALD or LGBTIQ+ people and people living with disability;
- (h) the effectiveness of any current education programs about use and misuse of pornography and how these may be improved;
- (i) the effectiveness of current restrictions on access to pornography and consideration of any need to improve these;
- (j) the resources and support currently available to parents and carers to educate children about pornography, and how these might be improved; and
- (k) any other related matters.

**STANDING COMMITTEE ON SOCIAL ISSUES****Reference**

**The Hon. Dr SARAH KAINE:** I inform the House that in accordance with paragraph (8) of the resolution of the House establishing the subject standing committees, the Standing Committee on Social Issues resolved on 6 August 2024 to inquire into the following reference from the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast, the Hon. Rose Jackson, MLC:

**Prevalence, causes and impacts of loneliness in New South Wales**

That the Standing Committee on Social Issues inquire into and report on the prevalence, causes and impacts of loneliness in New South Wales, and in particular:

- (a) the extent of loneliness and social isolation in New South Wales and how this is measured and recorded, including opportunities for additional and/or improved data capture;
- (b) the identification of populations most at risk of loneliness and social isolation;
- (c) evidence of the psychological and physiological impacts of loneliness on people, including young people, the elderly, those living with a disability, those living in regional areas and the bereaved;
- (d) evidence linking social connection to physical health;
- (e) factors that contribute to the development of transient loneliness into chronic loneliness;
- (f) the financial costs of loneliness to the New South Wales budget and the State economy and steps that can be taken to reduce the financial burden of loneliness;
- (g) the identification of existing initiatives by government and non-government organisations to mitigate and reduce loneliness and social isolation;
- (h) developments in other jurisdictions regarding the implementation of policies and initiatives relevant to the treatment of loneliness as a public health issue;
- (i) steps the State Government can take to reduce the prevalence and impacts of loneliness in the community;
- (j) steps that community, technology/social media companies, organisations, and individuals can take to reduce impact of loneliness on individuals and the community; and
- (k) any other related matters.

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

**The Hon. PENNY SHARPE:** I move:

That business of the House notice of motion No. 1 be postponed until a later hour of the sitting.

**Motion agreed to.**

*Documents***CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION****Production of Documents: Order**

**The Hon. DAMIEN TUDEHOPE (10:20):** I seek leave to amend private members' business item No. 1173 for today of which I have given notice by omitting "14 days" and inserting instead "21 days".

**Leave granted.**

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

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution all documents created since 1 July 2024 in the possession, custody or control of the Premier, the Premier's Department or the Cabinet Office relating to correspondence between the Construction, Forestry and Maritime Employees Union, Construction & General Division, NSW Divisional Branch or its officers, and the Premier or the Premier's office, and any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This motion seeks the production of various items of correspondence relating to a letter sent by Mr Darren Greenfield to the Premier, which was referred to in a release by *The Daily Telegraph* in which is described a letter sent to the Premier:

In an angry letter fired off to Mr Minns on Friday, Mr Greenfield and NSW Construction, Forestry and Maritime Employees Union (CFMEU) bosses – including Mr Greenfield's assistant union secretary son Michael – claimed "no concerns" had been raised at the time of those meetings.

The letter goes on to state that it would identify MPs, Ministers and senior public servants who had been approached by the CFMEU prior to the election and since the election in relation to undertakings which had been given by those persons in respect of their relationship with the CFMEU. This motion under Standing Order 52 seeks the production of that letter, which was addressed to the Premier, and any reply or any other correspondence which relate to the issuing of that letter.

It is important for the integrity of this State that, if a threatening letter of this nature has been issued to the Premier, the terms of the letter are given the transparency which should attach to the threats contained in it and how they arose. It may well be argued that what should occur is Mr Greenfield should make himself available to give evidence in relation to the terms of that letter. The manner in which he should be asked to give evidence about that letter should either be by way of inquiry in this place or, alternatively, inquiry in another place, but it is important that that letter, those Ministers, MPs and senior public servants who have been approached by the CFMEU be open to the public.

Everyone knows by now that the CFMEU has engaged in activity which, on any view of it, is corrupt activity for the purposes of obtaining donations and contributions by people in the construction industry and which has been highlighted by the Nine Network media in its exposure of the activities of various union officials in Victoria. We are also aware of activities of the CFMEU in respect of an integrity inquiry in the Australian Capital Territory into a procurement contract issued in the Territory for a school project. In circumstances where the CFMEU is engaged in activity which, on any view of it, is properly described as corrupt activity, that correspondence and that activity should be exposed to the light of day. It is important that this House and the public have knowledge of the exact nature of the threats made by Mr Greenfield and to whom they have been made. On the face of it, I would have thought that this House would support the motion for the production of this correspondence. I urge members to support the motion.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:25):** All of the carry-on from the Leader of the Opposition in relation to this matter is a bit rich, given that the activities that are alleged occurred under the former Government's watch and it did precisely nothing. If there is more information the Opposition is seeking about what the Government did, we do not need a motion under Standing Order 52. As the Leader of the Opposition has just indicated, the information has been widely circulated in the media. But the Government is happy and will not oppose the motion. However, there are a few matters I put on the record, given the speech made by the Leader of the Opposition and what I suspect will be the content of later contributions.

The alleged conduct of the CFMEU Construction and General Division is appalling. There is no tolerance for criminal or corrupt behaviour in the building industry, in unions or anywhere, for that matter. The New South Wales Government has taken the following actions. The NSW Labor Executive has suspended the New South Wales CFMEU Construction and General Division's affiliation to the New South Wales Labor Party and stopped any donations or affiliation fees. The Government has made an application to the New South Wales Industrial Court to put the CFMEU Construction and General Division into administration. We will be introducing legislation to establish an administrator to remove any doubt about the validity and speed of the appointment. We

have referred all allegations of inappropriate behaviour on New South Wales construction sites to the New South Wales Government's Construction Compliance Unit [CCU].

An audit of compliance activity has been completed. On 18 July 2024 a letter requiring further information was issued to John Holland as the principal contractor on major sites named in media reporting. CCU investigators are actively engaging with the Fair Work Ombudsman for a coordinated audit of enterprise agreements which the CFMEU is party to that are in place on New South Wales Government projects. We have asked the Fair Work Ombudsman to review enterprise bargaining agreements that the CFMEU is party to in New South Wales. All alleged conduct, including new information in media reporting, occurred under the watch of the former Government. If the purpose of the motion is simply for the Leader of the Opposition to read the letter himself, the Government will let him do so, but he will not find anything new. The real question that remains unanswered is why, on his own watch, the Leader of the Opposition did not take any action yet now is trying to find out things that might have happened that he did not even bother to look at for the past five years.

**The Hon. DAMIEN TUDEHOPE (10:27):** In reply: The Leader of the Government failed to admit that the actions taken by the Government in response to this matter do not include any actions that may have taken place in the past. The only way to expose that will be to have a proper and full inquiry into the union. The Leader of the Government criticised the previous Government, when this activity may or may not have been occurring—which she does not want to find out about—but to the extent that it was occurring then, it was not against the background of exposure by the Nine Network media of the conduct of the CFMEU in Victoria. It was not against the background of an integrity inquiry in the Australian Capital Territory into the activities of the CFMEU relating to a procurement contract in the Territory.

The Leader of the Government wants to criticise the previous Government; but now we know of this activity, the Opposition of course wants to embrace a full inquiry into all those things the previous Government should have known. I invite her to do so. She can establish a royal commission any time she likes. We would embrace a royal commission that would discover all the things that we should have known about but do not know about. That is fundamental to the argument that she is putting forward today. In any event, I welcome the decision by the Government to release the relevant correspondence. Under those circumstances, I urge members to support the motion.

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

**Motion agreed to.**

### *Bills*

## **PILL TESTING TRIAL BILL 2023**

### **Second Reading Debate**

**Debate resumed from 29 November 2023.**

**The Hon. SUSAN CARTER (10:30):** The Pill Testing Trial Bill 2023 has one important aim, which I am sure we all share: to reduce deaths from drug overdoses. It aims to do that by establishing a trial of pill testing at music festivals and other places, to be reviewed nine months after the bill commences. It is described as a harm minimisation measure and is a response to the 2019 report of the Deputy State Coroner Harriet Grahame, following the inquest into the tragic loss of six young lives at New South Wales music festivals. Every death from drugs is a tragedy but there is no evidence that pill testing will stop one death, and so we are unable to support the bill.

Pill testing can assist in identifying the presence of contaminants or impurities in drugs purchased by patrons of music and other festivals who decide to use them. Impurities which have been identified, including glue and paint, can harm. But the coroner's report clearly states at paragraph 66:

In each of the six cases, the drug known as 3,4-methylenedioxymethamphetamine, commonly known as MDMA or ecstasy, was the major causal factor in the drug-related death.

At paragraph 71 it states:

Prior to the provision of the toxicology results, the court was unaware of the exact cause of each person's death. In each case it has now been established that the death was caused by MDMA toxicity, not from adulterants or unknown substances.

Pill testing, or the detection of impurities or fillers, would not have saved those six lives; it would have indicated that the drugs they took were what they thought they were—MDMA. It was this unadulterated MDMA that killed them. At paragraph 312 and following of the same report, the coroner discusses the toxicity levels of MDMA that will lead to overdoses, many of which may be fatal. An acknowledged issue with illicit drugs is that, absent regulation, there is no security of dosage and the typical recreational dose of MDMA in a capsule or pill may vary.

One argument for pill testing is that advice can be given about dosage; however, the evidence heard and accepted by the coroner is:

... there is no specific level of ingestion which can be considered 'safe'.

The variables of environment, individual weight, metabolism and biochemistry, without very detailed individual testing and consultation, mean that even levels of MDMA in the blood are not a safe marker of toxicity, and while a general range can be offered, "deaths have been reported in the 0.11 to 0.55 milligrams per litre range".

An acknowledged limitation of the most commonly used method of pill testing, Fourier transform infrared spectroscopy, is that it operates on small scrapings. It is only as good as the amount of the drug tested and the consistency of the active ingredients throughout the pill. That means that it can engender a false sense of security in the safety of the drug. One pill can be tested, but others in the batch can have different compositions or strengths, or the part of the pill tested may not have the same concentration of active ingredients as the remaining parts of the drug. As we have already noted, individual consumers can have very different reactions to the same drug, which is only determined after ingestion.

A broader study of almost 400 coroners' reports conducted by the Australian National University in 2020 found that 48 per cent of drug-related deaths were from mixing drugs, 14 per cent were from idiosyncratic reactions and 29 per cent were from fatal accidents, which would not have occurred had the person not been on drugs. Pill testing would not have stopped one of those deaths. An argument made in favour of pill testing is that it leads to harm minimisation. However, the evidence does not appear to support that claim. Dr Russ Scott, in evidence at the inquest, indicated that:

There is no evidence that pill testing reduces harm.

He further stated:

There is in fact no research from the Netherlands that either front or back of house testing has reduced harms.

In 2013 the United Kingdom introduced pill testing at music festivals similar to the trial suggested by this legislation. According to its Office for National Statistics, the United Kingdom saw a doubling of pill deaths between the introduction of pill testing in 2013 and 2018. That is evidence of harm increase, not harm minimisation. Closer to home, the Australian National University [ANU] conducted an evaluation of the 2019 Australian Capital Territory pill testing trial. That is the evaluation foreshadowed by Professor Nicole Lee in her evidence at the inquest, but it was unavailable to the coroner at the time of her report. The ANU evaluation found that "those who received a test result confirming the substance to be what they thought it was were likely to take as much or more than originally intended".

Every death from drugs is a tragedy, but there is no evidence that pill testing will stop one death, and there are concerns that it may induce a false sense of security in the drugs that are being taken. Those young adults who died at the music festivals died from pure drugs. They were not contaminated so drug testing would have found only MDMA, and that is what killed them. It is a tragedy but one that would not have been mitigated by the trial suggested by this legislation.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (10:36):** I lead for the Government and indicate that it opposes the Pill Testing Trial Bill 2023. While I understand the urgency and positive intentions behind the bill, it is crucial to address best practices, safety standards and evidence-based approaches, which are critical for the success and sustainability of any drug-checking initiative. I will refer to pill testing as "drug checking" because pill testing is only in relation to drugs in pill form. The drugs of most concern can be found in a range of forms, most currently liquid opioids, which have been the subject of the recent alerts issued by the government to the public about nitazenes.

There are several areas of concern and a divergence from best practice in the proposed bill. Specifically, it is not a trial because there is no trial start date or end date, or evaluation of the public health impact. Appropriate legislation should have a framework for assessment, but there is no transparency about how applications would be made or assessed. There are no provisions or conditions relating to licences, raising issues with quality control and consistency in implementation. There are no specified quality controls or guidelines on the type or method of testing. Some means of drug checking proposed in the bill can lead to inaccurate results, such as test strips or colorimetric reagents. Another concern that the Government has is that there is no alignment with the approaches of other States or Territories, or international or evidence-based approaches. The bill has not taken into consideration their differences, their merits or the appropriateness in the New South Wales context.

That is why the New South Wales Government maintains the same commitment it had before the election of holding a drug summit as a forum to discuss these policy matters. The Government has committed to a multi-day drug summit comprising of two days of regional forums in October, and two days of forums in Sydney



on 4 and 5 December this year. The summit will bring together a range of perspectives to build consensus on the way that New South Wales reduces harms from substance use.

The upcoming drug summit offers an appropriate and timely forum to discuss policies like this one in depth. By involving medical professionals, researchers and community stakeholders, the Government has the ability to create a policy that truly reduces harm and saves lives, ensuring that it is both effective and widely supported. It is important to note that drug checking is not a silver bullet; it is one of many strategies that can be deployed to reduce drug-related deaths and harms. That is why the Government has not sat on its hands about ensuring that festivalgoers are safe.

In September 2023 the New South Wales Government committed to enhance the NSW Health Stay OK campaign; mandate that harm-reduction messaging be shown at events; provide mental health first aid and sexual assault prevention and response training to peers working at festivals; and promote training for event security staff to support a harm-reduction response. Last year the Government committed \$200,000 to train 700 peers in mental health first aid so that they can identify people who need assistance as they are roving through crowds at festivals. Training sessions started in May 2024.

The Government committed a further \$10,000 to provide sexual assault prevention and response training to peers working at festivals. Training sessions started in April 2024. New Stay OK harm-reduction messages were created in consultation with festival peers and were released in December 2023. I am advised that NSW Health reissued the Guidelines for Music Festival Event Organisers in October 2023. It is now mandatory for subject festivals to prominently display approved harm-reduction messages. NSW Ambulance provides user-pays services at those events to support emergency patient transport if required.

The assertion that the Government is not testing potentially dangerous drugs in this State is incorrect. NSW Health operates a comprehensive drug surveillance and early warning system to identify, investigate and respond to incidents of severe drug toxicity, using data involving drug analysis from emergency department attendances, hospitalisations, syringe residue, wastewater, coronial information and NSW Police Force seizures. Testing results enhance clinical management of patients, inform a timely public health response and assist in identifying emerging trends in acute recreational and/or illicit substance poisonings.

The response includes harm-reduction messages to the community, public drug warnings, clinician alerts, targeted health interventions, peer education and the promotion of take-home naloxone. Recent alerts have concerned opiates contaminated with nitazene, which has been picked up through a review of disposed needles and syringes. Drug-checking services are not guaranteed to obtain that data. That information is distributed through peer organisations that link directly to users.

Furthermore, the Minns Labor Government is already progressing more of the recommendations from the Special Commission of Inquiry into the Drug "Ice" than the previous Government, including pre-court diversion and expanding treatment. It includes a commitment of \$358 million in funding over four years that was allocated to NSW Health to address treatment gaps and improve health and social outcomes. The practical benefits and outcomes of the funding so far include 19 new and 23 expanded public sector services dealing with alcohol and other drugs. As a result of the funding, at least 300 new positions have been established, including 33 Aboriginal-identified roles.

Two new safe assessment units have been funded in the Nepean Blue Mountains and South Eastern Sydney local health districts. Approximately \$33 million has been allocated to 35 non-government organisations for new treatment and support services, including two residential rehabilitation and withdrawal management programs. At least seven of those are Aboriginal community-controlled organisations, and the majority of those new services are in regional and rural areas. The Government is funding the expansion of existing court diversion programs. There is the new Drug Court in Dubbo, which I cannot mention without paying tribute to the extraordinary advocacy of the Hon. Stephen Lawrence over so many years in his previous capacity as the mayor. We worked together then. It is extraordinary and would not have happened without his leadership and intervention. The additional sitting days will soon commence in Sydney.

The Magistrates Early Referral into Treatment program has been expanded across five regional and rural areas in 2022, with another five in 2023. The new Early Drug Diversion Initiative began at the end of February this year. There are a range of new education and prevention initiatives; scholarship and training opportunities; and the expansion of public health surveillance programs. I conclude by thanking Ms Cate Faehrmann for the bill and encouraging her to participate fully in the drug summit and advocate for change in that forum.

**The Hon. JEREMY BUCKINGHAM (10:44):** I speak on behalf of the Legalise Cannabis Party in full support of the excellent Pill Testing Trial Bill 2023. I commend Ms Cate Faehrmann for her long advocacy in the space and her tireless work to bring about a commonsense reform that will save lives in this State. But it is with a

great sense of frustration and sadness that I speak in support of the bill because, in the time that people have been advocating for drug checking, too many young people have been lost to drug overdoses, which I, along with so many people in the community, lament greatly.

We are frustrated because we have been discussing some form of drug checking in this place for 20 years. Over that time, governments of both persuasions have come up with excuses and sat on their hands. While a conga line of Ministers have come up with excuses for inaction, something like five Australians die from drug-induced deaths every day. That is a greater number than the national road toll, most of them unnecessary. Although no-one is suggesting that all, or even most, of those deaths could have been avoided if we had readily available drug checking, we must surely see this sensible measure—which has been tested over 30 years in jurisdictions worldwide—as a first sensible step to reducing the death toll from drug overdose.

While many would argue that we have long passed the time when a trial is necessary, this cautious approach is one way to ensure that we get it right. More people now die from involuntary drug overdose than on our roads. The need for drug checking has never been more urgent nor more obvious. Services already exist in the Australian Capital Territory, where the results are compelling. In particular, 32 per cent of people who are told that their drugs are contaminated decide not to take them because what was in the check was not what was on the tin or the baggy.

For anyone who is stuck in 1984 with Nancy Reagan and wants people to "just say no", drug checking is a highly effective mechanism. In June the Victorian Labor Government announced drug checking at music festivals and at a fixed location in Melbourne. Premier Jacinta Allan made the case forcefully, saying "We're doing this because all the evidence says it works." I note the contribution of the Minister, who said that drug checking is a way to reduce harm. Why would the Government say that and not implement it? That is the key point. The Minister is in *Hansard* saying that drug checking is a key measure to reduce harm, so why would the Government not do that, or at least support the trial, as soon as possible? The Victorian Premier said, "The evidence tells us it changes behaviour. It's a simple, commonsense way to save lives."

In Queensland, the Labor Government recently extended its pill testing program to include providing the service at schoolies week in November. The bill is hardly requesting radical action; it simply asks that the New South Wales Government steps into line with its counterparts up and down the east coast. The case for drug checking, or pill testing, has never been more urgent. The urgency comes from a class of synthetic opioid that caused 100,000 overdose deaths in the United States in 2021 and has already hit Australian shores. Nitazenes were developed about 60 years ago as an alternative to morphine but, because of their strength and high potential for overdose, were never released.

Globally and in Australia, nitazenes have appeared in fake pharmaceutical products and as contaminants in drugs such as heroin, methamphetamine, MDMA and ketamine. We should act before we start losing people to these drugs. Put simply, without drug checking, many people have no idea they are about to take a substance up to 500 times more potent than heroin. Therefore, a broad range of people could be affected by accidentally or intentionally taking nitazenes, from people who use drugs occasionally at music festivals to people who regularly inject drugs.

While we need a comprehensive plan to save lives from these dangerous and powerful new substances, drug checking must form a central part of this plan. An opioid crisis is looming. We cannot ignore it or hope that it will simply go away. Australia, and New South Wales in particular, has a proud history of leading the world in drug harm minimisation and keeping our population as safe as possible. It should do so again. I call on this Government to show the courage we so desperately need right now and fast-track drug checking in New South Wales by supporting this excellent bill.

**Dr AMANDA COHN (10:50):** As The Greens spokesperson for health, including mental health, and as The Greens spokesperson for youth, I am delighted to speak in support of the excellent Pill Testing Trial Bill 2023 introduced by my colleague Ms Cate Faehrmann. Pill testing saves lives. This has been clear for years now, especially since the successful drug checking service has operated in Canberra since 2019. It is the recommendation from the Special Commission of Inquiry into the Drug "Ice" and the coronial inquest into the death of six patrons of New South Wales music festivals. Every time there is a coronial inquiry into deaths at music festivals, here in New South Wales or in other Australian jurisdictions, there is a recommendation to either trial or implement pill testing.

Pill testing or a pill testing trial has been publicly endorsed by the Alcohol and Drug Foundation, the Public Health Association Australia, the Pharmaceutical Society of Australia, the Uniting Church, Unharm, Harm Reduction Australia, the New South Wales Bar Association, the Australian Lawyers Alliance, the Royal Australasian College of Physicians, the Royal Australian College of General Practitioners and the Australian Medical Association. The Australian Medical Association, which is notably a conservative organisation, endorsed

a medically supervised pill testing trial back in 2005, nearly 20 years ago. Since then Australia has developed the expertise and technology to successfully implement pill testing.

We have been so slow on the uptake of this life-saving initiative that we now have the benefit of learning from the over 30 jurisdictions that have already done so, including the ACT, Queensland, the United Kingdom and New Zealand. In June the Victorian Premier announced a drug checking trial as a "simple and commonsense way to save lives". An example about a product believed to be the psychedelic 2C-B was published in the *InSight+* newsletter of *The Medical Journal of Australia* earlier this year. It stated:

... a punter presented on a Friday in February 2024 with a product they believed to be 2C-B. Instead, onsite analysis revealed a mixture that was found to be identical to that which harmed so many in Victoria in 2017. The handling of that information could not have been more different from that previous incident. Within an hour of detection, ACT Health were advised of the findings, and within 24 hours this was disseminated across networks around Australia. A red community notification was issued on a variety of social media platforms, directly to users, across Australia ...

On this occasion, there were no overdoses with the same mixture of drugs as there were in Victoria in 2017.

Pill testing is not only about the excellent technology we now have to determine the composition of substances. It is also about the interactions with skilled harm minimisation workers. In trials, two-thirds of service users had never had a conversation about their drug use with a health professional, which is how life-saving advice can be delivered from a source that people trust, even when drugs are found not to be contaminated. It is not just the experts; a clear majority of the Australian public now supports pill testing at music festivals.

Opposition to pill testing is not grounded in facts, evidence or the real experiences of the communities we represent. Opposition to pill testing is, frankly, ideological and political. As a former GP and emergency department doctor, I have seen firsthand the harm caused by stigma and prohibition, which in so many cases is greater than the harm of drugs themselves. As my colleague Ms Cate Faehrmann, The Greens spokesperson for drug law reform and harm reduction, has rightly pointed out, since the election of the Minns Labor Government all we have seen on this issue is a delayed drug summit announcement with little information on what to expect. Meanwhile, drug use has increased, and highly lethal synthetic opioids have found their way into common recreational drugs.

The value of the drug summit that Labor spruiked at the past two elections would be for the Government to listen to policy experts, listen to the research on harm reduction and listen to people's lived experience. It does not need another summit and another talkfest to tell it, again, that pill testing saves lives. It does not even need to make a budget allocation: Pill Testing Australia is ready to provide a pill testing service for free. It just needs the go-ahead from the Minns Labor Government. I commend the bill to the House.

**The Hon. JACQUI MUNRO (10:55):** I speak briefly to the Pill Testing Trial Bill 2023, which I note the Opposition is opposing. I note the impact of status quo bias in this place, and the importance of challenging ideas that we may have out of a fear of change, and out of a fear of responding to a situation where we do not know how our decisions might impact an outcome. In a sense, that is the nature of all the decision-making that we do here. It is making changes to law and, in some ways, society, because we think that it will be of benefit to the people of New South Wales.

Professor Fiona Measham, from the University of Liverpool, recently conducted studies into pill testing and even visited Australia. I note that there have been changes in the ways that pill testing can be conducted. As we continue to investigate this area of science, there will be more and more detailed conclusions that we can draw from the kinds of testing that can be undertaken. I note:

... The Loop UK has developed a simple, fast and accurate method of quantifying MDMA in the field called 'mass loss analysis,' utilising the solubility of MDMA in methanol ... The Loop has used this method of quantifying MDMA at English festivals and consequently issued alerts about the dangers of high strength pills in circulation at events ...

I know that young people are very in tune with these kinds of announcements, particularly through social media. It is a really rapid way of getting information out there. When festivalgoers understand that festival organisers feel a sense of responsibility to them about the ways that they are acting in that environment, they will seek information from those credible sources. Festival organisers usually work closely with testing providers—

**The Hon. Jeremy Buckingham:** Point of order—

**The PRESIDENT:** The Clerk will stop the clock.

**The Hon. Jeremy Buckingham:** It is very hard to hear at the back of the Chamber. I ask that you bring members to order and instruct them to have their conversations either in the members' lounge or outside.

**The PRESIDENT:** I uphold the point of order. There is too much audible conversation. The Hon. Jacqui Munro has the call.

**The Hon. JACQUI MUNRO:** I thank the Hon. Jeremy Buckingham for allowing me to speak in relative silence. I was talking about the ways that festival organisers educate festivalgoers about the kinds of dangers that they might experience in that environment. Festivalgoers feel a sense of trust with organisers who share messages about dangerous substances that might be in circulation. They know where to go to find that information, particularly from social media like Instagram. Often emails are sent out. When festivals have apps that include information about which DJs or bands are playing, they also have information around substances that are circulating. It is an important way to acknowledge the reality of what happens on the ground at those festivals and to try to keep people safe.

I note more of Professor Measham's work. Through her studies, key behavioural outcomes were identified, including that if the submitted substance matches purchase intent and harm-reduction dosage messages are issued, half of service users go on to take lower doses in the future and thereby reduce the risk of overdose and harm. If the submitted substance is other than expected, over three out of five service users dispose of further substances in their possession. Many actually pass them on to police for future safe destruction, which reduces the harm for others and allows people to get information about those particular substances. She noted that half of service users are more cautious about mixing drugs in the future. That reduces the risk of polydrug complications, which is the number one reason for drug-related deaths in the United Kingdom. My colleague the Hon. Susan Carter mentioned that earlier.

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

*Questions Without Notice*

**PUBLIC SERVICE WORKPLACE PRESENCE**

**The Hon. DAMIEN TUDEHOPE (11:00):** My question is directed to the Treasurer, hoping that he learnt a bit last night. It was a good speech.

**The Hon. Daniel Mookhey:** I didn't speak.

**The Hon. DAMIEN TUDEHOPE:** No, you didn't speak.

**The Hon. Penny Sharpe:** You're liking your own speech, are you?

**The Hon. DAMIEN TUDEHOPE:** It was good. What modelling was carried out by Treasury prior to the Premier instructing the Secretary of the Premier's Department to issue the circular on New South Wales government sector workplace presence?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:00):** I thank the shadow Treasurer for the question. I presume that he wrote it in his office and not at home, which is a good example for lots of people to follow. As a productive member of the workplace who has the opportunity each day to attend the Parliament and work with his colleagues—or at least those who will talk to him—he can demonstrate in the very asking of this question that there are benefits that arise for those who have the opportunity to work from their offices and can do so in a manner that is collegial.

I also note that many Opposition members make a choice to work from home most days of the week. I applaud them, whether they be in Drummoyne or Wagga Wagga—wherever they are. It is important that they make a contribution. An announcement has been made by the Secretary of the Premier's Department, who holds the employment function that has been delegated to him by the Premier, which has seen the introduction of return to work practices across the New South Wales public sector. It is fair to say that what has motivated that particular decision is a desire to build and rebuild the culture of the public service.

**The Hon. Damien Tudehope:** Point of order: The question was reasonably specific. It asked the Treasurer to identify any modelling that had taken place in relation to the issuing of the circular and whether Treasury had conducted that modelling.

**The PRESIDENT:** I uphold the point of order. The question was extremely specific and its scope was limited. The Treasurer will come back to the question at hand.

**The Hon. DANIEL MOOKHEY:** I was just alluding to the benefits—that is, the need to rebuild the public sector and foster the culture of collaboration and, in addition to that, use it as a method to retain public sector workers. It is fair to say that is one part of what Treasury and other agencies have advised for a while. In order to realise the benefits of a public service—

**The Hon. Damien Tudehope:** Point of order: I am sure that the Treasurer will identify the modelling shortly, if in fact it exists. The question was specific as to whether any modelling was carried out by Treasury in relation to the circular.

**The PRESIDENT:** I do not uphold the point of order. The Treasurer was being directly relevant in his answer, if perhaps not in the way that the Hon. Damien Tudehope might like.

**The Hon. DANIEL MOOKHEY:** As I was saying, it is one component of a general push towards rebuilding the public sector in New South Wales. Specifically, as the Secretary of the Premier's Department has pointed out, the basis of his intervention, using his employer delegation, is designed to ensure that in particular those who are new to the public service, those who are younger in the public service and those who are in the middle of their careers in the public service are able to access the learning that one gets by being surrounded by one's peers. There is an expectation that will improve the productivity of the public service. There is an expectation that will improve and boost the retention of the public service. As to how such benefits will be measured and tested, I am sure that the shadow Treasurer is aware that the Secretary of the Premier's Department has said that is a standing expectation. Each of the departments is now working towards implementation. [Time expired.]

**The Hon. DAMIEN TUDEHOPE (11:04):** I ask a supplementary question. Is it true to say that there was no costing and no modelling but just an ill-thought-out headline grab?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:05):** The answer to that is no. It was a component of a considered strategy that is required to rebuild the public service. I will explain why it is so important that we rebuild the public service, particularly after some of the damage done to the public service that the Government inherited from members opposite. It is fair to say that the public service is in need of rebuilding for a couple of reasons. The first is the systemic outsourcing of so much of the function of the public service to external providers—namely, the big four firms. The second is the endemic use of contractors across the public service. The third is the chronic use of labour hire arrangements at every level that could otherwise be avoided.

That is part of the reason why this Government has tasked the Secretary of the Premier's Department to take a considered approach to how the public service should be rebuilt. I cannot help but notice that it seems as though the shadow Treasurer is taking umbrage at the fact that the announcement of this policy has been greeted well. He seems to have a problem with the fact that this policy change has been endorsed by *The Daily Telegraph* and in editorials from *The Australian* for two days in a row. In June, the shadow Treasurer was whacking me about the Property Council's opposition to my changes to land tax. He was happy to invoke the Property Council at that point, but I cannot help but notice that the council has greeted this policy particularly well. That all demonstrates that once again the shadow Treasurer does not know what he stands for or when he is going to articulate a policy. He simply blows with the wind.

#### LOCAL GOVERNMENT TRAINEESHIPS AND APPRENTICESHIPS

**The Hon. GREG DONNELLY (11:07):** My question is addressed to the Treasurer.

**The Hon. Damien Tudehope:** Is he working from home?

**The Hon. GREG DONNELLY:** No, he is right here to answer the question in person. Will the Treasurer update the House on the largest State Government investment in trainees, apprentices and cadets in recent memory?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:07):** I thank the member for the question. I certainly will provide an update. Diligent members would have noticed that over the winter break the Government announced a landmark policy and investment in apprenticeships and cadetships in partnership with local government across New South Wales. Some 50,000 people across 128 councils manage more than \$150 billion in assets, spending more than \$15 billion a year to deliver important local services. Councils have a direct impact on the built amenity and the cleanliness of our open spaces but, much like the State public service, they have suffered from years of neglect. Unfortunately, for more than a decade local governments did not get some of the support they needed to meet the skills challenges they faced. In fact, local governments across New South Wales, but especially in regional New South Wales, are suffering from a shortage of skilled labour, and it is threatening their ability to deliver the services that their communities expect.

That is why I am pleased to say that the Government has put aside \$252.2 million to recruit 1,300 new apprentices and trainees in councils across the State. Whether it is plumbers in Penrith, finance trainees in the Tweed, electricians in Eurobodalla, childcare workers in Campbelltown or even landscapers in Lake Macquarie, they will have the opportunity to work in their local government to get access to an apprenticeship. That change has come about because this Government has been listening to representatives of local government and, in particular, listening to the union that represents local government workers. It is fair to say that the general secretary of the United Services Union, Graeme Kelly, OAM, has been a veteran and a passionate fighter for local government across New South Wales, and he has worked very hard on this for a number of years. It is pleasing to see a lot of the work that he has done with Local Government NSW pay off in this investment. It is an example

of the type of partnership that is possible when sensible governments work with local governments and unions to deliver an outcome that is win-win for all.

I cannot help but notice that there are some people whose careers in local government have recently come to an end, unfortunately, against their own wishes. I simply say to the soon-to-be-former mayor of Hornsby council, whose career in local government has prematurely come to an end, that he and his council also have the opportunity to become one of those apprentices or cadets. Should there be other local Liberal Party people who are displaced, they can sign up to work as a cadet or apprentice in Local Government NSW. [*Time expired.*]

#### **PUBLIC SERVICE WORKPLACE PRESENCE**

**The Hon. SARAH MITCHELL (11:10):** My question is directed to the Leader of the Government. What metric will be used to measure the effectiveness of the Premier's Department circular C2024-03 on New South Wales government sector workplace presence?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:11):** That is a very interesting question. I will take on notice some of the detail on specific metrics, and I make the following points: Post-COVID, all workplaces are working through the issues of how to build teams, how to share ideas and how to operate in the workplace. Many people have been fighting for flexibility for a long time, and there have been some very hard-won flexibility requirements built into awards and within the public service for a long time. Post-COVID there was a very sudden movement needed, and members on this side of the House supported the then Government when making the tough decisions that had to be made regarding COVID. I now notice that some people, in hindsight, have taken some learnings from that. The point is that we were in a pandemic crisis that had not been seen for over 100 years and there were lives literally at stake, particularly in the early part of the pandemic. Decisions had to be made to move very quickly, beyond the ways in which we normally would.

Many workplaces are now struggling with how to look at the new environment. It has brought great benefits, and I know many people have really welcomed the opportunity to work from home. That is incredibly important for a lot of people. But there is also the twin challenge of how to build teams and train new and younger staff if they are not in at work and face to face. The idea that people work only from home only really works for a very few occupations. The Government has said that it principally wants people back in the workplace so they can work through that. We believe it will be important in terms of productivity, team building and mentoring, while still working through the flexible nature of the work that we all want. We all want people to be able to work in a flexible and productive way, and that it is the best thing for New South Wales.

I am happy to take on notice the specific metric issue, but the reason this is occurring is very clear. It is occurring because we want public servants working together, face to face, for part of the time in which they work. We want them to be able to mentor young people and bring them through and to understand the very challenging nature of the jobs that public servants have and for which we all have deep respect. Post-COVID we need to change this up again. We swung the pendulum from one place to another because we had to, and now we are working through the implications for that and what the public service looks like into the future in New South Wales. I give credit to the head of the public service, Simon Draper. He thinks about these issues extremely deeply and he continues to speak with the secretaries of all of our departments.

**The Hon. SARAH MITCHELL (11:14):** I ask a supplementary question. I thank the Leader of the Government for the answer. I know she said she would take the specific metrics on notice, but will the Minister confirm whether there is an intention to measure the success of the Premier's directive?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:14):** We always want to measure the success of the decisions we make. Of course that is what we will do. We strive to have the best public servants in the country. I would argue we already have most of them. They work extremely hard. They worked extremely hard under COVID, and we should give a big shout-out to them for the work they did under very difficult circumstances. Let us remember that 85 per cent of them were not able to work from home because they were frontline workers doing dangerous work in difficult situations. Of course we will measure the success of that. Of course we seek to have the best public service in Australia, where people love their work, where they work in the public interest and implement the decisions that we make in here, and where they work in ways that work best for them so that we retain the best staff. That way they are able to do the job they need to do and they are productive, they are happy and they are delivering for the people of New South Wales.

#### **INDOOR AIR QUALITY**

**Dr AMANDA COHN (11:15):** My question is directed to the Leader of the Government. The rampant spread of respiratory infections, including influenza, respiratory syncytial virus, COVID, pneumonia and

whooping cough this winter, is worsening the pressure on our overstretched emergency departments, significantly impacting productivity and putting the lives of people with chronic illness or the immunocompromised at risk. Preventing the spread of airborne infections should not be an individual responsibility. Experts have called for systemic solutions that focus on indoor air filtration, ventilation and sterilisation. Victoria has announced an investment of \$9.9 million in collaboration with the Burnet Institute to lay the groundwork for indoor air quality standards. What work is the New South Wales Government undertaking to improve indoor air quality?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:16):** I thank the honourable member for her question. Her ongoing interest in air quality standards is very important. As someone who has a 14-year-old currently at home with influenza A, I am very aware of that. He has been very sick for a week and was not able to go to school camp. That is not good. I give a shout-out to Theo as I am not looking after him in his hour of need.

**The Hon. Damien Tudehope:** You should be working from home, mate!

**The Hon. PENNY SHARPE:** Unfortunately, we cannot work from home in Parliament, as we know. It is an important issue and, yes, I am aware of the work that the Victoria Government is doing. I understand it has introduced the Pathway to Clean Indoor Air in Victoria, which is a collaboration between the Burnet Institute, the Victorian Government and other research partners. It is a research piece about what could be improved or not. The COVID-19 pandemic highlighted how much the air we breathe indoors can impact our health, wellbeing and productivity. For decades action on air quality has focused on improving outdoor air. I know that the member is well aware of the actions we are taking on that. However, the risks from breathing hazardous air, which include problems arising from airborne infections, pollution, bushfire smoke, allergens and poor ventilation, also occur indoors. However, in general, there are less-robust frameworks around indoor air.

The Pathway to Clean Indoor Air in Victoria project will implement and evaluate indoor air quality interventions for public settings, develop user-friendly technical guidance and explore policy options. The project will develop an investment case for indoor air quality improvement specific to Victoria. They have some very specific issues. Obviously, their heating is mainly gas heating and there are different issues associated with that. The point I make to the honourable member is yes, we are aware of it, and we watch the research being undertaken with interest. In relation to dealing with sick people at home, people should not be sharing masks, they should keep themselves separated, and they should be vaccinated.

I am of the view that the reason I have not got influenza A is because I was lucky to get a very good vaccination from the Pharmacy Guild earlier in the year. I think that is what has kept me and those who have managed to avoid it good. In all seriousness, our focus to date has been on New South Wales. The Clean Air Strategy is about outdoor air and particulates. We watch closely what Victoria is doing. COVID taught us a lot and this flu season is teaching us even more, given how virulent and problematic it is. We will watch with interest and see what else we need to do.

**Dr AMANDA COHN (11:19):** I ask a supplementary question. I thank the Minister for her detailed answer. Will the Minister elucidate the part of her answer relating to the Government watching closely and with interest what Victoria is doing? Will the Minister implement what is recommended by the research being undertaken?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:19):** The research has not been done. We support the research and will see what it finds. I speak regularly to the Victorian Minister for Environment, Steve Dimopoulos, who is a very good Minister. We share a lot of information and are working closely together on a range of issues, including things like batteries. Since Victoria is doing that work, and given that it is relatively new research that has just been picked up, we will look at what is going on and see how it is applicable. But let us not get ahead of ourselves; let us see what it says first.

#### TICKETLESS PARKING FINES

**The Hon. Dr SARAH KAINE (11:20):** My question without notice is addressed to the Minister for Finance. Will the Minister update the House about the rise in ticketless parking fines issued by local councils?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:20):** I thank the Hon. Dr Sarah Kaine for her great question about an issue that I have been talking about a lot this morning. New data released today shows a 49 per cent increase in the number of ticketless parking fines issued in the past financial year, 2023-24, compared with the number issued in the previous year, 2022-23. I first raised the issue of ticketless parking in March. I was really concerned about the lack of fairness in the system. It means that people who get a fine cannot collate information to seek a review and cannot take a photo. It means that it does not act as an immediate deterrent,

but it also means that people can collect multiple fines without actually realising it until they receive the ticket in the mail.

In March I wrote to about 50 councils that are under the scheme and said, "Let's talk about it. Let's try to find a way to come up with a better solution to this and find a fairer, more commonsense approach." I am happy to report that 30 of those councils have indicated publicly that they would be open to it or that they have actually started that process themselves. At least one council continues to issue paper-based fines and only uses Revenue NSW to follow up. I think that is a fair approach. I have announced today that the new figures show that the Government needs to step in, and we will. We have been looking at a range of options to make the system fairer, and we are certainly looking to intervene now. At a time when families and households are under a huge amount of pressure, it is not fair that they can get sluggish multiple times with parking fines and have no idea about it. Most people will cop it if they have done the wrong thing, but they need that immediate notification. With full credit to the Minister for Roads, we have ended secret speed cameras. We now want to end secret parking fines.

Let me provide some detail. The other interesting thing in the data that we have released today is that, at the same time as the number of ticketless parking fines issued has increased by 49 per cent, the number of other parking fines issued has decreased by 22 per cent. We obviously do not have access to more granular levels of detail for that data, but it does show that there is a clear discrepancy in what is happening and that the secret parking fines have to end. We have sought to engage with councils and do it in a consultative way. It is yet another mess that we have inherited from the previous Government. We are absolutely committed to fixing it—to finding a commonsense solution that works best and ensures that drivers get that immediate notification.

#### HUNTER GAS PIPELINE

**Ms CATE FAEHRMANN (11:23):** My question is directed to the Minister for the Environment. The authority for Santos to survey its proposed Hunter Gas Pipeline has recently expired, and I understand that it has applied for a new authority. Affected landholders have made complaints about the behaviour of Santos in attempting to negotiate easement agreements, including allegations of breaches of the authority to survey and failure to provide requested information. I have been told that that has led to an inquiry within the Minister's department. Given the behaviour of Santos, does the Minister intend to renew the authority to survey?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:24):** I thank the honourable member for her important question. Anyone who is working with any landholders should, firstly, follow the rules that are set out; secondly, treat people with respect; and, thirdly, ensure that they are doing what they said that they would do. The Environmental Defenders Office has raised with me the issue with the authority to survey, and I am familiar with it. Santos was granted the authority to survey by the previous Minister for Energy in January 2023. It was rushed out just before the election. But the advice I have is that Santos has not exercised the authority to survey to date.

An authority to survey provides the holder with guaranteed access to land to undertake surveys, in accordance with the regulations and conditions. I understand that Santos will be applying to my agency in relation to the lateral pipeline. That application is currently being considered in the normal way, including consultation with affected landholders. People should be dealing with those issues properly. We have land use conflict and a range of other matters being dealt with. People should generally be kind to one another and work through those issues as required. I might provide some of the detail raised by the member's question to the House on notice. I am advised that the authority to survey has not been exercised yet, but there are ongoing discussions about it.

**Ms CATE FAEHRMANN (11:26):** I ask a supplementary question. I thank the Minister for her answer. She mentioned the lateral pipeline, and work is currently being undertaken on that approval process. Will the Minister advise the House what consultation is being undertaken by her department in relation to that lateral pipeline?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:26):** My advice is that there has been consultation, but I am happy to find out the details of what has occurred and come back to the member. My department is dealing with it, but I am not across the detail.

#### PUBLIC SERVICE WORKPLACE PRESENCE

**The Hon. NATALIE WARD (11:26):** My question is directed to the Minister for Roads. In light of the instruction from the Secretary of Transport for NSW, Josh Murray, to his staff—which was in contrast with the Premier's directive to return to the office—what action is the Minister taking to ensure that the Premier's directive is complied with in full?



**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:27):** I thank the member for her question. While the member is entitled to ask it, she is entirely wrong that those two positions are at odds. The directive specifically came from the Secretary of the Premier's Department rather than from the Premier—although the Premier has certainly given it his backing, as have other members of the Government. It is important to be clear on what the processes are here. The directive was discussed with the Secretaries Board and is in the process of being adopted by agencies, including by Transport for NSW. As the Premier has made clear, that work begins immediately.

Of course, that does not mean that Transport for NSW officials are ringing up people and telling them to be at work by 9.00 a.m. yesterday. That makes no sense at all. Like other agencies, Transport for NSW will go through a process to work out what it means for all of its tens of thousands of employees, as is intended. There seems to be some suggestion from those opposite that it is not a thought-through or research-based position. But I draw their attention to the research that has been done in the area, including the fact that tech titans such as Apple, Google, Meta and more have been moving their staff back to the office three days per week. I refer to a paper by Atkin and Schoar from the Massachusetts Institute of Technology.

**The PRESIDENT:** Order! Members will cease interjecting.

**The Hon. JOHN GRAHAM:** Their recent research showed that employees working from home were 18 per cent less productive than their peers in the office. There are other benefits, so we should not move away from flexibility. But here is some of the research: a paper by Gibbs, Mengel and Siemroth—

**The PRESIDENT:** Order! The Minister will resume his seat. I understand that we are back after a long winter break and there is enthusiasm and energy in the Chamber. That is a good thing. However, we need to be respectful of the Minister giving his answer. We need to be able to hear the answer. More importantly, we need to be respectful of Hansard. Members will limit their interjections, or they will be called to order. The Minister has the call.

**The Hon. JOHN GRAHAM:** Other researchers have looked at the communications records of 62,000 employees of Microsoft to reach their conclusions that there is a balance to be struck. That is all the memo from the Secretary of the Premier's Department says. There is a balance to be struck to support good public service working habits, particularly for young employees and new team members who need that interaction. We want flexibility but we also want teamwork. That is the key to good public sector work habits, and it raises this question: Is the practice of asking people to be in the office, perhaps three days a week, or certainly across the week in some way, opposed by the Opposition? Members opposite did nothing about it while in government. Are they seriously opposing this? If so, they should tell that to the businesses who are under pressure at the moment.

**The Hon. Natalie Ward:** Point of order—

**The PRESIDENT:** The Hon. Natalie Ward has taken a point of order, although it was difficult to hear her because of all the interjections from Opposition members, led by the Leader of the Opposition.

**The Hon. Natalie Ward:** It is relevance. I ask that the Minister come back to the question. We have heard about lots of other things. There have been lots of interesting diversions. What we are interested in is the Government's policy, because we have Chris Minns saying one thing and a written directive saying another thing. We are asking for clarity.

**The PRESIDENT:** The point of order was valid until the Hon. Natalie Ward strayed into a debating point, which I have asked members not to do. I instruct the Minister to come back to the question.

**The Hon. JOHN GRAHAM:** The assertion the shadow Minister is making is flat-out wrong.

**The Hon. NATALIE WARD (11:31):** I ask a supplementary question. I will come back to the Minister's answer in relation to the "working through" program, which was interesting to hear, but the email from the secretary said that, in the meantime, staff should continue with their hybrid arrangements. We are asking for clarity around that. Will the Minister elaborate on that part of his answer where he said the Government would be "working through" that? It now appears there is a different approach. When will Josh Murray's working group report on a proposed policy for Transport?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:31):** I have made this commonsense distinction: The work starts immediately, but of course we are not insisting that employees change their work habits with no notice. What a stupid idea. Not only would that be disrespectful, but it would also be illegal. So, of course, we are working through the normal process, as the Government could be expected to do. That is the distinction I draw here, directly to the point. It is a research-based decision, based on things like

a United Kingdom Government survey. The *Harvard Business Review* came to this view. The University of Chicago—

**The Hon. Natalie Ward:** Point of order: I think the Minister is attempting to elaborate, but he is straying once again into third parties. My supplementary question was very specific, about the working group and when Mr Murray's working group will report on the proposed policy for Transport. It is very simple.

**The PRESIDENT:** The Minister has the call.

**The Hon. JOHN GRAHAM:** That work has begun, as the Transport secretary has made clear, and it will be complete when that process has taken place. I am not going to direct the Transport secretary in the way he is working with the workforce.

**The Hon. Damien Tudehope:** Ignore the memorandum. It's okay. Ignore the memorandum.

**The Hon. JOHN GRAHAM:** No, absolutely not. The Opposition should be clear whether it supports this policy or opposes it. The fact that the shadow Treasurer is opposing it will be big news to the small businesses on George Street. It will be big news to the hospitality sector. The Government will be happy to pass on news of the shadow Treasurer's opposition to this moderate approach. It is a sensible approach—move towards the office, perhaps three days a week; keep the flexibility—opposed by the shadow Treasurer. That is big news.

### RESEARCH ANIMALS REHOMING

**The Hon. STEPHEN LAWRENCE (11:33):** My question without notice is addressed to the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales. How is the Government helping puppies and kittens find new homes after their use in research?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:34):** I thank the honourable member for this very important question. Animal welfare is a priority for the New South Wales Government, and we are delivering on our election commitments for better outcomes for animals. We are investing in a number of measures to improve the lives of animals involved in research. This includes a \$4.5 million funding package to help researchers to step away from using animals in research in New South Wales. It is a significant investment that will reduce and replace the work that is occurring in that space. The funding will be used to establish the Non-Animal Technologies Network, a body led by New South Wales that will work to develop and promote alternative arrangements. That is a significant investment in moving away from animal use in research.

In addition, I recently announced that the New South Wales Government is investing \$2.5 million to protect the welfare of animals that have been used in research. This money will ensure New South Wales better supports dogs like Butters, the cute six-year-old beagle I met at the Animal Welfare League NSW at Kemps Creek. Butters had been involved in pet food taste-testing over the course of the early years of his life. Now, as part of this investment, he will be rehomed through the Animal Welfare League NSW. Butters will find a forever home, after the contributions he made to developing better-tasting pet food for our puppies and kittens.

Through our Research Animals Rehoming Grant Program, the Government will support rehoming organisations to find forever homes for cats, dogs and other animals after they have completed their involvement in research. Grants from \$20,000 and up to \$1 million are available up until 12 o'clock on Friday 13 September. I encourage rehoming organisations to get involved in this program. Grant funding will be available to repair and maintain, and build new, animal care facilities; purchase equipment, such as crates and bedding; access vet services, including desexing and vaccinations; and deliver training or provide rehabilitation services to make sure that these animals are ready to find their forever homes.

**The Hon. Rachel Merton:** Don't desex Butters.

**The Hon. Sarah Mitchell:** Poor Butters!

**The Hon. TARA MORIARTY:** It is such a shame that the Opposition does not care about puppies and kittens in New South Wales. In addition to the \$21 million allocated in the recent budget, the Government is providing an additional \$7 million to provide a better life for research animals and to move away from animal use in research.

**The Hon. Sam Faraway:** Butters wants to be rehomed to the front bench.

**The PRESIDENT:** I make this point: While perhaps the Hon. Tara Moriarty incited a small number of the interjections from Opposition members by referring to "Butters", there were too many interjections and they are continuing. Members will cease interjecting.

### ABORIGINAL COMMUNITY HOUSING

**Ms SUE HIGGINSON (11:38):** My question is directed to the Minister for Housing. Two families in the same community in Goonellabah have requested that they be allowed to swap houses, which are both managed by the Many Rivers housing provider on behalf of the Aboriginal Housing Office. The reason for the swap is to improve the community and familial welfare outcomes. After telling them it would happen, Many Rivers has now refused the families. What can and should the families now do, and will the Minister help them to achieve the housing that they have determined they need in their community?

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:39):** I thank the member for her question. Prior to her raising the matter with me, I was not familiar with the individual circumstances of those two families. We are really proud of the relationship that the Aboriginal Housing Office [AHO] has with our Aboriginal community housing provider partners, of which Many Rivers is one. I have met with Many Rivers and I know they do a really good job on behalf of the tenants they manage. Having said that, there can be issues of disagreement, dispute and different preferences between tenants and their community housing provider managers. That does happen occasionally. We encourage them to try to resolve that themselves. The AHO does not have a policy of intervening in all of those instances.

Once we support an Aboriginal community housing provider partner to manage tenancies, we try to provide a framework for them to do that on their own. Having said that, there are instances where that cannot happen. It seems from the information that the member has provided that this is one of those instances, where a dispute has arisen between some tenants and the Aboriginal community housing provider that, sadly, is unable to be resolved. The AHO is willing to provide mediation and support services to parties to try to come to an amicable outcome. I am happy to work with the member to ensure that the families to whom she has referred have access to the AHO Northern Rivers team. To answer the question about what the important first step is, the families should talk to that team in the first instance to see whether they are able to work with Many Rivers and the families to come to an amicable outcome.

It is worth emphasising that I recognise the member's point that families in communities are best placed to know what housing meets their needs, particularly if there is an agreed swap or amicable agreement. That happens from time to time in social housing, and we encourage that. We want to give agency to local people, particularly Aboriginal people, to meet their own housing needs, in line with the principles of self-determination. Where there is an issue with the tenancy manager—Many Rivers—the AHO is happy to use its policies and practices to try to mediate that. I encourage the member to pass that back to the families in question. I am happy to support her to do that and to work alongside Many Rivers and the families to see whether we are able to come to an outcome is that agreeable. That is our preference in the first instance. If that is not happening, then we are happy to play a role supporting that where we can.

### REX AIRLINES

**The Hon. SAM FARRAWAY (11:42):** My question is directed to the Minister for Regional New South Wales. What has the Minister done to ensure that Regional Express Airlines continues to service communities in regional New South Wales and that those jobs are retained?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:42):** I thank the honourable member for the question. I am surprised he is still here since he is trying to get to Canberra as soon as he possibly can, hopefully on a Rex Airlines flight from Calare. He is happy to use taxpayer funds from New South Wales for the campaign, while still sitting here. I note that for the record. Rex Airlines, like every form of transport that is currently available to people across regional New South Wales, is incredibly important to regional communities, particularly those who have fewer options for transport and are in more remote parts of the State. We acknowledge the importance of Rex, along with other airlines, in allowing regional communities to access other communities, the cities and health services. It is an important airline and form of transport for people across the regions.

The New South Wales Government has been working closely with the Federal Government on support for Rex Airlines in the current circumstances. Rex Airlines has made some business decisions that people may question and the board will need to make some decisions about the nature of that business. But we take seriously the need for services such as Rex to provide travel to the people of regional New South Wales. Again, the New South Wales Government is working closely with the Federal Government. My office is engaged with the relevant Federal Minister on support that is being outlined for that airline. I encourage the Federal Government to provide that support, because we know how important regional travel services such as that airline are to regional communities.

**The PRESIDENT:** I call the Hon. Scott Farlow to order for the first time. I have made it very clear on numerous occasions that peppering Ministers with questions is unparliamentary and unacceptable.

**The Hon. SAM FARRAWAY (11:45):** I ask a supplementary question. Will the Minister elucidate the part of her answer where the Minister advised the House that her office had sought meetings with the relevant Minister? Will the Minister confirm that her office has met with Minister Catherine King. Has the Minister discussed the Harris Review, and has she met with Sydney airport officials?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:45):** I thank the member for the supplementary question. As I confirmed in my previous answer, there has been engagement with the Federal Government, not just through my office and Catherine King and other parts of the Federal Government. Other Ministers are involved in ensuring that there are regional transport services across the government, including the regional transport Minister and the Premier, who has made comments on this issue in the public domain. As I outlined in my previous answer, the Government is working with the Federal Government—

**The Hon. Sam Faraway:** Point of order: My point of order is on relevance. I specifically asked in the supplementary question whether Minister Moriarty met with Minister Catherine King. That is the elucidation I would like from the original answer.

**The Hon. Penny Sharpe:** To the point of order—

**The PRESIDENT:** I do not need to hear further. There is no point of order.

**The Hon. TARA MORIARTY:** The Government is engaging with the Federal Government and all the relevant parties to ensure that regional transport services are available for the people of regional New South Wales.

**The Hon. Sarah Mitchell:** So she has not met with her. If she had met with her, she would just say, "I have met with her." It's a no.

**The Hon. Sam Faraway:** It's a no.

**The Hon. TARA MORIARTY:** I acknowledge the interjections. I answered that in the first sentence of my answer. I am continuing to outline that the New South Wales Government is working with the Federal Government at every relevant level to make sure that the services are maintained and provided for the people of regional New South Wales.

#### CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

**The Hon. PETER PRIMROSE (11:47):** My question without notice is addressed to the Minister for Energy. Will the Minister update the House on how the Government is working with local communities to deliver renewable energy across New South Wales?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:47):** I thank the honourable member for his question. I am very pleased to update the House, particularly in relation to the Central-West Orana Renewable Energy Zone. The good news is that the project was approved in June. It has been through the process and is now underway. The access tender, which connects the generators to the grid, is also underway. Access fees from that tender will go back into the community. At the moment it is \$128 million, and that will increase over the time and duration of the renewable energy zone.

I was pleased to be in Dubbo and Wellington a few weeks ago to meet with the community and announce the first round of the \$70 million that is being rolled out. That money will help councils build legacy infrastructure that also helps the renewable energy zone. The money for community organisations includes large and small grants, with which people can build legacy infrastructure as a result of the renewable energy zone. That is incredibly important for First Nations organisations. I have had the privilege of meeting with the First Nations working group for Central-West Orana on at least three occasions and at other times. They have developed guidelines and they have a whole plan for what is going in there. We are putting staff into those organisations to help them.

**The Hon. Sam Faraway:** I do not know how you can determine that.

**The Hon. PENNY SHARPE:** They will get the benefits of these programs, which will update housing that has not been updated for more than decades. It certainly was not done under your Government.

**The PRESIDENT:** Order! The Hon. Sam Faraway will cease interjecting.

**The Hon. Damien Tudehope:** Point of order: Mr President, the Leader of the Government should address her comments through you.

**The PRESIDENT:** I uphold the point of order. The Leader of the Government has the call.

**The Hon. PENNY SHARPE:** My bad. The point I make is that progress is being made and community input is closely involved. I went to Wellington and met over 50 people who comprised small manufacturers, small business people, farmers, Aboriginal community members and Elders from across the country and across the area—mostly Wiradjuri—and representatives from regional development organisations and the various generators who will be working in the renewable energy zone. There was an incredible level of optimism that this project is underway and that the benefits will start to be seen. There will be jobs for local people. The Government is already investing in upgrading the roads. We will do the work that builds pathways for local jobs. We are already briefing small business people across that area on how they can bid for the contracts. That is what real regional development looks like.

**The Hon. Sam Faraway:** You will have to get the flags there somehow.

**The Hon. PENNY SHARPE:** Meanwhile, Opposition members are selling some sort of ridiculous fantasy that we can somehow do nuclear power. I want to say this about Dugald Saunders. He used to stand with me and support these projects. Where is he now? He is on radio talking about magical sand, and no solution. He will do his local area out of billions of dollars in investment that he is happy to stand by and allow to happen.

**The PRESIDENT:** Order!

**The Hon. PENNY SHARPE:** We are doing the job. We are not selling a fantasy that is too expensive and will take too long to build, and we are not ripping off regional New South Wales by their missing out on the opportunity that this will bring.

#### GREYHOUND WELFARE

**The Hon. EMMA HURST (11:50):** My question is directed to the Special Minister of State, representing the Minister for Gaming and Racing. Alfie is a greyhound who died at the Londonderry Greyhounds As Pets facility in November 2023. Will the Minister advise the circumstance of his death and if it was in any way related to the use of illegally obtained veterinary drugs—an issue that was highlighted in the report by the former Chief Veterinary Officer of Greyhound Racing NSW, Alex Brittan?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:51):** I thank the Hon. Emma Hurst for her question and her interest in this subject. I firstly acknowledge that this is one of a number of questions she has recently asked in the Chamber concerning these issues. I placed a number of comments on the record previously. Since the last time she asked, it is clear there has been significant publicity. It is also clear that there has been significant activity in regard to these matters. I confirm that it has been certainly occupying the time and attention—and it is now clear that this is the case—of both the Minister and the Government. I am in a position to place some matters on record.

I have been advised that, regarding complaints made about Greyhound Racing NSW, including in relation to greyhound welfare, rehoming and the matters raised in the report referred to by the Hon. Emma Hurst from Greyhound Racing NSW's former Chief Veterinary Officer, the Minister for Gaming and Racing has announced the appointment of the Hon. Lea Drake as an acting commissioner of the Greyhound Welfare and Integrity Commission to lead an inquiry into Greyhound Racing NSW. The inquiry is examining a number of matters in relation to Greyhound Racing NSW, including its governance and operations, track safety and animal welfare issues. I assure the House that the acting commissioner has all the inquiry powers available under part 8 of the Act. Those powers include broad powers to hold hearings; to compel persons to attend the inquiry, give evidence and produce documents; to investigate; and to enforce. The inquiry will ensure a thorough and wideranging review of all relevant issues, with a report to the Minister due at this stage by 13 December 2024.

**The Hon. Emma Hurst:** Point of order: Just over one minute remains for the answer. I was not asking generally about what actions the Government was taking after the report was released. I asked a very specific question about one greyhound by the name of Alfie, who died at Londonderry. I asked for specific details around the circumstances of that individual greyhound's death and whether it was related to illegally obtained veterinary drugs. Mr President, I ask you to direct the Minister to the question itself.

**The PRESIDENT:** The scope of the question was quite narrow. I ask the Minister to confine his remarks to the scope of the question.

**The Hon. JOHN GRAHAM:** I acknowledge that the member's question was very specific, and I was coming to this point: The advice I have been given is that it would not be appropriate for the Government to comment on matters that specific while they are under consideration as part of that inquiry, while the inquiry is ongoing. For those reasons, I will not be able to provide more details to the House at this point, but it is for the specific reason that these matters may well be considered by the inquiry.

#### REX AIRLINES

**The Hon. WES FANG (11:54):** My question is directed to the Treasurer. Noting that the viability of Rex Airlines is further threatened by a loss of confidence leading to a drop in bookings, what steps is the New South Wales Government taking to immediately restore public confidence in the continued operation of this vital regional airline?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:54):** I thank the Hon. Wes Fang for his question. He is quite right to point out that when it comes to something like airlines, confidence in the airline's ongoing operations are important signals for the market, particularly because so much of the revenue that goes to Rex and others turns on forward bookings, which also require people to have confidence that the service for which they are paying is indeed available to them at the time they require it. I am asked specifically what actions the New South Wales Government is taking to promote confidence. I assure travellers of Rex, and those who are considering whether they wish to purchase a booking on a Rex flight, that there are a few things the New South Wales Government is doing. Firstly, the Minister already has set out some of the engagement of her office with the department and others. I also assure the House that the New South Wales Government is working closely with the Federal Government, which is the prime responder to this issue.

It is important to point out that Rex operates nationally. As a result of it operating nationally, it is appropriate that the Commonwealth provides leadership in this context. The second point I make is that Rex is now in administration and the Government is very respectful of the administration process. The third aspect I should point out is that the administrator has to undertake its function, which is to assess the assets, provide reports to creditors and the like. Therefore, it is appropriate that all of us be respectful of that process because that is how we endow confidence in people deciding whether to buy tickets on Rex. There are lessons to be learnt from previous airlines that have been through administration processes. In recent times Virgin has been through administration processes, and that led to the sale, the resale and the recapitalisation of the Virgin business.

Equally, in the past Bonza airlines and other airlines have been through the administration process. I assure the Hon. Wes Fang that the playbook the New South Wales Government is applying is suited to the circumstance we are in. It is modelled on and reflective of the strategy that the previous Government adopted in relation to Virgin. I recall that when Virgin went into administration in the aftermath of COVID, the Government provided bipartisanship.

**The Hon. Sam Faraway:** You wanted us to buy it.

**The Hon. DANIEL MOOKHEY:** That was for the very reason of people's jobs, people's livelihoods and the ability of people in regional New South Wales to access airline services. I simply make the point that the Government will work respectfully with everybody who is involved and will play the role that we have to play, but ultimately the Commonwealth has a big job.

**The Hon. WES FANG (11:58):** I ask a supplementary question. In the Treasurer's answer, he indicated that the travelling public and people who are booking on Rex could take confidence from his answer, and he went on to elucidate a number of things that the Government is doing to provide that confidence. Which of the points the Treasurer made will allow travellers to have confidence in booking with Rex in the future? Given that the Treasurer said he will provide confidence to travellers, does that also include a guarantee that they will not be out of pocket should anything occur to Rex?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:59):** I thank the honourable member for his supplementary question. I understood the first part of it, but I confess that I did not understand the second part. What am I being asked to guarantee? Perhaps the member could elucidate that part of his question because I have no idea what I am being asked to guarantee.

**The PRESIDENT:** Order! The Treasurer will resume his seat. The member will frame the question in a way that the Treasurer can respond to.

**The Hon. Wes Fang:** The first part of the question was clear: Which part of the Treasurer's answer is supposed to give travellers confidence? The second part was whether anything that the Treasurer said will ensure that travellers will not be out of pocket if they book with Rex now but something happens to it in the future.

**The Hon. DANIEL MOOKHEY:** In respect of the first part of the question as to what part of my answer could give confidence, I would say, "All of it." In response to the second part, the confidence will come from a successful administration process. That will allow either the various paths of Rex's corporate strategy to be adjusted by the administrator in consultation with the creditors or, alternatively, the administrators to take other steps along the path that are available to them under the Corporations Act. That is what we should do here. It is in no-one's interest to prolong the administration; nor is it in anyone's interest to politicise the administration. In fact, it is important to ensure that the administration process can work. Administration is a particular system, embedded in the Corporations Act, which has allowed the creditors of Rex to step in and work to reorganise the business. That is what gives passengers confidence.

**The Hon. Wes Fang:** Point of order: The point of order is relevance. Clearly, talking about the functions of administration is not addressing the question that I asked. I ask that the Treasurer is brought back to answering the question that was asked of him.

**The Hon. Penny Sharpe:** To the point of order: The Treasurer was literally, in the words of the Hon. Tara Moriarty, answering the question directly. In answering the question as to the confidence to get the airline up and running as well as we can, the Treasurer was dealing with the ins and outs of administration law and the way that it works. He was being directly relevant. You cannot get more directly relevant than that.

**The PRESIDENT:** There is no point of order.

**The Hon. DANIEL MOOKHEY:** With respect to the second part of his question, which was whether passengers will find themselves out of pocket, firstly, it is clear that the administrator has signalled an intention to honour all tickets that have already been purchased. That is an important step. Secondly, when it comes to route rationalisation, which is a key part of the administration process because it determines what routes are available for people to purchase tickets in the future, there has been commentary that Rex launched new routes that have proven to be more capital intensive and less profitable than previously thought, which is part of what has caused its difficulty. It is for the administrator to now work out whether similar tickets will be offered, but it is fair to say that the administrator is applying all the diligence that is required, as best I am aware. That is not offering for sale tickets that may not be honoured. [*Time expired.*]

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

#### *Supplementary Questions for Written Answers*

### **PUBLIC SERVICE WORKPLACE PRESENCE**

**The Hon. SARAH MITCHELL (12:02):** My supplementary question for written answer is directed to the Leader of the Government. Will the Minister advise what metric will be used to measure the implementation of Premier's Department circular C2024-03? What is the baseline for that metric from which the implementation will be measured? What is the target for that metric that the circular aims to achieve? What is the timeline for achieving that target?

#### *Questions Without Notice: Take Note*

### **TAKE NOTE OF ANSWERS TO QUESTIONS**

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

That the House take note of answers to questions.

### **REX AIRLINES**

### **CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE**

**The Hon. SAM FARRAWAY (12:03):** I take note of answers given to questions posed to the Government about Regional Express Airlines by the Opposition. The Treasurer did give a more fulsome answer than the Minister for Regional New South Wales could cobble together, but I note the Treasurer's lack of understanding of how Rex delivers for regional New South Wales. He noted that administrators have been engaged and, as the Treasurer, he wants to let the administrators do their thing and for that to be the end of it. By his own admission, history shows that airlines entering administration in the past have resulted in no regional services. Virgin Australia does not offer regional services anymore, and it has decommissioned and sold off its regional aircraft. There are no regional services that Bonza offers anymore because Bonza is gone.

The Treasurer needs to talk to the Minister for Regional New South Wales about what happens in the event that the administrators hive off what was such a proud, longstanding airline—once Kendell Airlines, founded in Wagga, and Hazelton Airlines, founded in Cudal. Currently, some destinations like Parkes in the Central West

have only one regional carrier, and that is Rex. If the administrators have that off or have no intention of retaining the turboprop aircraft on regional routes around New South Wales, fast-growing inland cities like Parkes will not have an air service. I do not think the Treasurer is fully comprehending the role that the State and Federal governments need to play in this space. The Minister for Regional New South Wales has no idea; that was clear from her answer today.

I take note of answers given by the Leader of the Government about fantasies. I will tell you what is a fantasy: the enabling infrastructure that is needed to deliver the Central-West Orana Renewable Energy Zone [REZ]. The reality is that \$70 million is great, but where is the real cash that is needed to deliver the highway and road infrastructure to get the turbine blades from the Port of Newcastle into the Central-West Orana REZ to build these projects? There are councils that say they have requested meetings with Labor Ministers but cannot get them, but they need decisions made on where they will house all the people that will construct the REZ projects. Will hardworking families who cannot get accommodation be pushed out of the property market? There are some real questions for the Government and I implore it to answer them. [*Time expired.*]

### INDOOR AIR QUALITY

**Dr AMANDA COHN (12:06):** I take note of the answer from the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage to my question on air quality. In the context of the rampant spread of airborne infections this winter, I asked the Minister a very simple question: What work is the New South Wales Government undertaking to improve indoor air quality? In her answer, the Minister described in detail the work that Victoria is undertaking—and I am glad that she is across that—but she did not name a single thing that the New South Wales Government is doing on the issue.

I suppose it is a start that the Minister has acknowledged the link between indoor air quality and the spread of infections. In response to my question, she did make the link to her own child being unwell and missing out on school camp. The Minister said that she is watching with interest the results of current research. I hope that she has read the report from the National Science and Technology Council that was released this week entitled *The impact of indoor air quality on the transmission of airborne viral diseases in public buildings*. It identified four key strategies for reducing disease transmission: air-cleaning technologies such as high-efficiency particulate air filters; air disinfection technologies using ultraviolet-C light; ventilation; and controlling the dispersion of contaminated air.

The Minister's response featured a raft of actions that put responsibility to prevent infection on the individual. "People should not be sharing masks, they should keep themselves separated, and they should be vaccinated," she said. While that is true, preventing the spread of airborne infections should never have rested on the shoulders of individuals, and people living with chronic illness and who are immunocompromised should not be doing the work of government when clean indoor air would benefit everyone. That kind of response is completely in keeping with the New South Wales Government's frankly irresponsible approach to hospital-acquired COVID infection.

Data is not even aggregated at a statewide level, so we do not know how many people are being harmed in places where their health ought to be improved. One in 10 people in Victoria who caught COVID in hospital died as a result. The New South Wales public has a right to know that, and the Ministry for Health should want to know and address it. Some Labor members of this Parliament did good work when they were in opposition on addressing air quality in schools, but since they have been in government their passion has seemingly evaporated.

This winter, supposedly naturally ventilated classrooms have had their windows closed because it is cold outside. I have heard directly that classrooms have been filled well over safe capacity. The cost of installing heating, ventilation and air conditioning systems in schools would be more than covered by the savings from reduced sick leave amongst students, school staff and working parents. There has been a lot of discussion today about the Premier ordering public sector workers back into the office and back en masse onto public transport. Where is the action to make it safer to do so? Here at Parliament, we benefit from recently upgraded air ventilation and filtration systems that exceed minimum standards. That level of protection should not be exclusive to parliamentarians; every health facility, school and public building should have the same standard of air quality. We deserve to know what that safe standard is and to be guided by clear Government policy.

### REX AIRLINES

#### LOCAL GOVERNMENT TRAINEESHIPS AND APPRENTICESHIPS

**The Hon. STEPHEN LAWRENCE (12:09):** I take note of answers given by the Minister for Regional New South Wales and the Treasurer to questions about Rex Airlines. Like a lot of people living in regional New South Wales, I was concerned to hear the bad news about Rex Airlines. I have had a fair bit to do with the company



over the years, including when I was the mayor of Dubbo, when we had lots of issues with the business that council does with Rex Airlines. It certainly is a shrewd operation that has been successful for a long time.

It is upsetting to hear that it is in the strife it is in, but it is good to hear that the Government is taking steps and working closely in conjunction with the Federal Government, which is playing a leadership role in what occurs with the national airline. It is important to communicate at this time that Rex Airlines is still operating. It would be unfortunate if people stopped booking with Rex Airlines as a consequence of the media about the strife that the airline is in. It is important to communicate that Rex Airlines is still issuing tickets. It is still very much operating and playing an important role in servicing regional New South Wales, as many members spoke about today.

I also say a few things about the answers given by the Treasurer about the announcement made by the Government last weekend about apprenticeships. It is well understood that local government played a much more substantial role in the apprentice system in the past and that lots of people got their start in local government. Over the years, that seems to have dropped off. There have not been as many local government apprenticeships on offer, though there certainly have been some. It is good news that the Government is investing \$252 million into 1,300 apprentice positions across the State.

The funding is going to a range of positions—those that people might consider to be traditional tradesperson-type roles, but also things like child care and planning, which speaks to the diverse business operations of local government being involved in a range of activities. It will be good for the smaller communities and smaller council operations in regional and remote New South Wales, which will benefit from the influx of funds. It will provide opportunities so that people will not have to leave smaller communities to undertake training and skill development. It is a good announcement and commitment that only a Labor government would have made and is yet another consequence of the election last year.

### REX AIRLINES

**The Hon. WES FANG (12:12):** I take note of answers given by the Minister for Regional New South Wales and the Treasurer to questions that were asked about Regional Express Airlines by both my good friend and colleague the Hon. Sam Faraway and me. The Minister for Regional New South Wales referenced the Premier's commitment to regional communities. That was given at the time when we discovered that Rex Airlines was in administration and that services to regional communities would continue for the moment, but the larger 737 fleet from Sydney to Brisbane and Melbourne would not.

Since the Premier made that public statement, which was referenced by the Minister for Regional New South Wales, this Labor Government has not done anything tangible to assist Rex Airlines and its passengers to ensure that the service will continue into the future. That is everything one needs to know about the way that the Premier and this Labor Government operate. They chase headlines, but there is no substance to what they say. That was borne out by the working-from-home edict, which was done for a headline, with no work done in the background. There were no metrics or tangible evidence behind it; it was merely to chase a headline.

I understand that the Labor Government is interested in headlines, but when I go home and speak to local people, they are concerned about Rex Airlines. They are concerned about jobs in Wagga in not only the maintenance facility but also the pilot academy. The Treasurer mentioned that it is a national airline and, therefore, it is a national problem, but the Treasurer is ignoring that Rex Airlines employs hundreds of people in Wagga at both its maintenance facility and the pilot academy. New South Wales has a big buy-in to what happens to Rex Airlines. For the Treasurer to basically wipe his hands of it, for the Minister for Regional New South Wales to barely know what we are talking about and for this Government to have done nothing in relation to Rex Airlines is a disgrace. It must do something now.

### HUNTER GAS PIPELINE

**Ms CATE FAEHRMANN (12:16):** I take note of the Minister for Energy's response to my question about the Hunter Gas Pipeline, which is an incredibly damaging proposal that is causing significant stress to affected communities. There is overwhelming opposition to the project, which intends to cut through some of Australia's most productive agricultural land. In order to build the pipeline, Santos needs to get landholders to agree to have a portion of their property ripped up and a gas pipeline built underground. To do so, Santos is attempting to negotiate a deed for an easement over that portion of land in return for compensation. My office is contacted regularly by landholders with a multitude of concerns about both the proposal and the way that Santos is engaging with them.

Santos holds an authority to survey that has expired and is currently seeking to renew it. The authority to survey provides Santos with the right to enter private property to undertake activities like soil and vegetation sampling for testing. However, an authority to survey is supposed to be used only as a measure of last resort. It

can be used only when Santos has taken all reasonable steps to negotiate access to a property but where an agreement cannot be reached with the landholder. I am hearing on the ground that Santos is holding its authority over landholders and using the clear power imbalance to bully landholders into entering into an incredibly unfair agreement. I have seen a draft agreement for the easement that Santos is presently putting in front of landholders, and the terms of that agreement are concerning, including restricting landholders' movement through their land and their power to do things like sell their own land. What is worse, there is no need for the pipeline. It is only required to transport gas from Santos's proposed Narrabri coal seam gas project.

Santos proposes to drill up to 850 gas wells over 95,000 hectares of farmland and State forest near Narrabri—in an area known as our national food bowl, with some of the best and most productive agricultural land in the country—and through the Pilliga forest. It is an incredible forest with high biodiversity values and is home to threatened species, including the koala, the spotted-tailed quoll and the powerful owl. Some 23,000 submissions were received in response to Santos's development application, with 98 per cent opposed. The Narrabri project is opposed by the traditional owners, the Gomeroi people, who have also spoken out against Santos's bullying tactics. The Minister must reject Santos's renewal application for its authority to survey. The Government must support New South Wales households and small businesses to get off gas.

## LOCAL GOVERNMENT TRAINEESHIPS AND APPRENTICESHIPS

### PUBLIC SERVICE WORKPLACE PRESENCE

**The Hon. EMILY SUVAAL (12:18):** I take note of the answer given by the Treasurer regarding the recent announcement of record funding for apprenticeships and traineeships in local government. That \$252 million announcement will go a long way for our local government sector, particularly in regional areas. We have heard at length about some of the challenges facing local councils, particularly in rural and remote New South Wales. Those issues are multifaceted but include challenges around attracting and retaining staff. Many of the different tasks that local governments perform in the regions, such as managing local water and sewerage, are unique to their services and different from those of metro councils. The apprenticeships and traineeships will go a long way in addressing workforce concerns. The United Services Union has been campaigning for that for some time, and it is a really good announcement.

I also take note of answers provided by the Special Minister of State about the directive to work from the office and the end of working-from-home arrangements. I particularly pick up on a point that he made in one of his answers—that 85 per cent of our public sector workforce does not and cannot work from home, and has never done so. They are the frontline workers who carried us through the pandemic—teachers, nurses, police officers and fireys. They are from many different professions and never had the opportunity to work from home. They are the majority of our public sector workforce, and this is a very reasonable ask.

Many of those public sector workers have hard-won and long-negotiated award conditions that already embed flexibility into their workplace arrangements. As the Minister said, the directive is an important step to take in ensuring that we mentor junior workers who are entering the workforce, that they have a positive start when they work in the public sector and that they are equipped with all of the tools and skills they need so that we can retain them and build on their expertise. They are some of the most important workers that we have. We are the largest employer in New South Wales, and I think we are the largest in the country, so it is really important that we look after our workers. [*Time expired.*]

### PUBLIC SERVICE WORKPLACE PRESENCE

**The Hon. RACHEL MERTON (12:22):** I take note of comments by the Leader of the Opposition relating to the Premier's return-to-work headline. I absolutely commend the Premier regarding returning to work. I reaffirm that we have a duty to the taxpayer to ensure value for money, productivity and a return to the workplace. We have the headline, the sound bites, the talkback and the Telegraph. But when Government members discussed it in the Chamber, they walked it back. They talked about the balance and whether they could legally do it, saying that we have to respect the post-COVID work environment.

During budget estimates last year, I questioned departmental heads about the workforce. I asked how many public servants had returned to work, and they said that they did not know. I asked, "Are records kept on where public servants are working?" They said that it does not matter. There are vacant, unoccupied government buildings. The public walk in and see entire floors unoccupied, and who is paying the lease on them? It is the New South Wales taxpayer. I asked, "Are there agreed working hours? Are we saying that everybody should be accessible and available from 10.00 a.m. to 2.00 p.m.?" They answered, "No, we don't say that." It is a government about headlines. There is a balance to be struck. I commend the COVID pandemic return-to-work regime. I commend the teachers, health workers, police officers and other face-to-face workers on the front line, but I also question what the headline actually means.

I have seen case studies firsthand of young people who have applied for a job with the public sector. When I ask them how it went, they say, "Really good—I'm excited. But I'm not taking it." I ask them why not, and they say, "We don't have an office. We all have to work from home. I never get to meet the team. I don't get the recognition. I need to learn from others. It would be a new job. I'm going to be on my own. I'm isolated. There's no mentoring." What a loss. I call on the Government to be serious and responsible. Issue the directive and let us put some measurements and records in place. Let us commend the public servants who are returning to the workplace.

I also reiterate the words of Business Sydney and the Property Council of Australia: CBDs need workers back. We have one of the highest office vacancy rates. Cafes are doing it tough, businesses struggling. We need to take action and follow through on the return to the workplace. I commend the Premier for it and am looking for some more examples of how it will be implemented. I want to see the directive issued. I want to see the records, the calculations and the outcomes.

### LOCAL GOVERNMENT TRAINEESHIPS AND APPRENTICESHIPS

**The Hon. MARK BUTTIGIEG (12:25):** I take note of the answer that was given by the Treasurer to a question about apprentices. It is important that we put this on record because those opposite, who are fond of market-based solutions, need to understand the significance of the announcement that was made at the State Labor conference last weekend regarding apprentices. I came up through the apprentice system at Ausgrid, starting in 1982 when it was owned by the Government. The then Sydney County Council employed something like 160 apprentices. We were not just electricians; we had carpenters, bodybuilders, mechanics and all manner of people. They were used as feeders into both the public and the private systems. There were first-class apprenticeships in the railways and with Sydney Water.

It was a system in which the Government would actively use its economic power and ownership of public utilities to provide skilled, quality labour via very good first-class apprenticeships. It heartens me to be a member of a government that is reinstituting that philosophy to the extent that it can. Local government is the obvious place to start, given that government still runs it and it employs so many people. As my colleague the Hon. Emily Suvaal pointed out, that investment is a function of a major union, affiliated with the Labor Party, lobbying the Labor Party to intervene in the economy to provide those skills. Those opposite come in here on a daily basis, wanting to criticise and bash unions.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The Hon. Wes Fang will cease interjecting.

**The Hon. MARK BUTTIGIEG:** They want to eliminate unions from the economy altogether, when unions play a very positive role in making sure that our economy is on a good footing. I point out their hypocrisy in persistently attacking unions when they provide so much, not just in frontline wages and conditions but in actual, substantive contributions to the economy. Every now and again those opposite should come in here and recognise that contribution. They want to criticise our relationship with the unions, but we are proud of it. It contributes to our policy input via our conference. The funding for apprenticeships and traineeships is one of the best announcements of the many that the Government has made. It is a great initiative. I place on record my thanks to the United Services Union and its general secretary for lobbying so hard for a great policy initiative that will go a long way to solving our skills shortage, which everyone knows is a huge issue.

### PUBLIC SERVICE WORKPLACE PRESENCE

#### REX AIRLINES

**The Hon. SUSAN CARTER (12:28):** I take note of answers given by the Hon. Penny Sharpe and the Hon. John Graham in response to questions about the back-to-the-office directive. The questions related to what the policy was, and the thinking and research behind it. The Hon. Penny Sharpe answered with beautiful images of rebalancing the pendulum; the Hon. John Graham spoke about finding the balance to be struck. Absolutely, but the question is where that balance point is. Where is the pendulum meant to land? Is it very clear to the workers of New South Wales exactly what this Government is expecting of them and, more importantly, why it is expecting this?

The Hon. John Graham spoke about the great research that has been done by Microsoft, Apple and the University of Chicago. That is great, but did it inform the development of the Government's policy? That question is unanswered. The Treasurer cited slightly different sources. He seemed to think that the success of the policy related to *The Daily Telegraph* headlines and other news sources. Perhaps he would be interested in what *The Daily Telegraph* had to say about it today. It noted that the "language being thrown around is woollier than a jumbuck". That indicates that perhaps the clarity of thinking that the Opposition was probing for does not actually exist.

Disappointingly, that same lack of clarity of thinking seems to be present in the answers given to the question on apprentices. Of course we want a highly skilled workforce and great opportunities for training, and apprenticeships are wonderful opportunities for training. I commend any work being done in that space. But how does that announcement sit with cuts to the TAFE sector? The \$300 million earmarked in last year's budget for the TAFE sector to upgrade classrooms and campus infrastructure, deliver new teaching equipment and improve digital connectivity has now fallen to \$206 million. That does not make sense.

It is woolly thinking to call for more apprentices on one hand but, on the other, have less resourcing for TAFE, where we expect them to be trained. There needs to be real policy work done, not just headline-grabbing announcements—worthy as they may be—that cannot be delivered because the real policy work has not been done. Lastly, I take note of answers to questions about Rex Airlines. When Virgin was in administration, the Queensland Labor Government bought a stake in Virgin because of the value of that airline to its regional areas. Will this Government do the same? [*Time expired.*]

#### REX AIRLINES

**The Hon. CAMERON MURPHY (12:31):** In the short time that remains, I take note of the answers given by the Hon. Tara Moriarty and the Treasurer in relation to Rex Airlines. The Opposition, and in particular The Nationals, ought to be called out for today's fearmongering on the issue. The Treasurer's excellent answer took us through the delicate circumstances that are in play at the moment in relation to administration. He highlighted that the problem was caused by Rex entering into capital city routes rather than regional routes. Of course the Government and the Labor Party want to ensure that there are vital services to rural and regional locations in New South Wales, and that is the sort of thing that Rex provides. But we have to work through the administration process.

I am confident that the Government will support an outcome that ensures that those services remain in place. I do not think that is helped by the Opposition, and in particular The Nationals, trying to sow doubt around what will happen to people who make bookings, when the administrator has made it perfectly clear that it will honour the tickets that people have. That needs to be worked through in the administration process. Shame on the Opposition for asking questions in this House that will not help but will make it much more difficult for the administrator, cast doubt amongst consumers and, if anything, make the situation worse.

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

#### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:33):** As ever, the debate was interesting today. I have a few questions of my own, particularly in relation to the contributions of Opposition members. It would be very interesting to understand the exact position of the former assistant shadow Minister and what he is asking the Government to do in relation to Rex Airlines. Ministers have made it clear that we are working very closely with the Federal Government to make sure that regional customers and passengers are taken care of and that the future of Rex is sorted out, given the challenges that the airline faces and the need for regional services to be delivered. The Opposition's position on that is unclear, as it is on so many other things.

What is the Opposition's position on working from home? The Hon. Rachel Merton wants to be some sort of public service overlord—basically a slave driver to make sure that everyone turns up between 9.00 a.m. and 5.00 p.m., that they are not allowed to leave, that there is no flexibility and that they will turn up five days a week no matter what is going on. At the same time, Opposition members seem to be concerned about whether people should be working from home all the time or not. It is really unclear what their position is. Their position is also unclear on flexibility for those workers—predominantly women—who have caring responsibilities and childcare responsibilities and who are managing in a very challenging cost-of-living environment in New South Wales. That sort of flexibility was hard won by public sector unions over a long time.

Post-COVID, the Government is trying to bring people back to work in a more structured way that has all of the relationship benefits of working together face to face. Government members do not want to get rid of the flexibility; we want to have a conversation about how that works and for people to use the systems that are already there. I do not know what the Opposition's position is in relation to that; it makes no sense. The Hon. Susan Carter talked about apprentices. Let us understand the gutting of TAFE that occurred under the previous Government. Smart and Skilled has been a failure that has basically led to thousands fewer places and thousands fewer staff. The former Government left us with a skills gap that we are now turning around, with the good work of local government workers and the people who represent them: their union. What the Government is doing is about building real skills for the future.

Finally, what is the Opposition's position on renewable energy and regional development in New South Wales? According to Fukushima Faraway, it will be all about nuclear.

**The Hon. Wes Fang:** Point of order: If the Leader of the Government is going to use titles, she should call members by their correct title. The Minister did not use the correct title when referring to another member in the House. She should refer to him as the candidate for Calare!

**The Hon. PENNY SHARPE:** I think time has expired.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I remind members, including both the Leader of the Government and the Hon. Wes Fang, that members will be referred to by their correct titles.

The question is that the motion be agreed to.

**Motion agreed to.**

#### *Written Answers to Supplementary Questions*

### **MANUFACTURING FOR SCHOOLS PROGRAM**

In reply to **the Hon. SARAH MITCHELL** (6 August 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:

The Department of Education contract with the APP Group was terminated on 1 July 2024. The amount payable under the contract is currently being assessed. This assessment will consider the value of work already completed under the contract, which remains the property of the department.

I am advised the Department of Education decided to terminate the contract as it would not meet the needs of the record school building program, including ensuring value for money is delivered. A broader industry approach to Modern Methods of Construction is now being implemented, extending beyond the specific approach adopted under this contract. The Department of Education is improving the program to encourage broader industry participation. This work will ensure the New South Wales Government's commitments continue to be delivered. Tenders for building contracts are expected to be released later this year in line with our schedule.

Any further questions regarding this contract should be directed to the Deputy Premier.

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

#### *Private Members' Statements*

### **WAGGA WAGGA HOMELESSNESS SERVICES**

**The Hon. EMILY SUVAAL (14:04):** On Thursday last week I was fortunate enough to visit Wagga Wagga. I slunk in and let the Hon. Wes Fang know of my presence. While I was there for the wonderful bicentenary series—and I thank the President, the Black Rod and the Clerks, who were also in attendance—I also visited a specialist homelessness service called Edel Quinn, which is in Wagga Wagga. I thank the president of the local conference of St Vincent de Paul, Trevor Urquhart, who invited me along to see Edel Quinn and to show me the local hub that they work from. The work Edel Quinn does as a specialist homelessness service, in both temporary accommodation and longer term accommodation, is obviously crucial, but it also operates a hub that has assertive outreach services.

Indeed, Trevor Urquhart, who is a life member of the Labor Party and also a life member of the Shop, Distributive and Allied Employees' Association, goes out on home visitations twice a week as part of Edel Quinn's assertive outreach model. He visits people who are at risk and people who are more vulnerable—people who are accessing some of its services. It operates a really successful food pantry and gives out vouchers for the local fruit and vegetables supplier in Wagga Wagga, as well as the local retail stores. It was a really eye-opening and heartwarming experience, and I thank the hardworking staff at Edel Quinn who took me around and showed me the service and the important work that they do.

I also thank the broader St Vincent de Paul team, all of the other volunteers and, certainly, Trevor for his work as president of that local conference. When I visited the hub, it was a hive of activity behind the scenes. Most of the people volunteering there would have been over the age of 70, and they were really hard at work making sure that systems were in place, that the phones were answered and that people had the services they needed in the community. St Vincent de Paul runs more than 25 homeless accommodation services like this across New South Wales, and I thank them for this ongoing work, particularly at a time like this, when we are seeing cost-of-living pressures impacting so many families, particularly in regional areas.

## TEACHERS' GUILD OF NEW SOUTH WALES

**The Hon. SARAH MITCHELL (14:07):** The Teachers' Guild of New South Wales is the oldest teachers' organisation in the State. Founded in 1891, it was originally established by leading educators to improve teaching standards and address the issue of unregistered and low-standard private schools. It has also been actively involved in setting curriculum standards and has had representation on syllabus committees for many years. The Teachers' Guild is currently focused on professional development activities not covered by subject associations, universities or employee organisations. It also has a collection of awards each year recognising outstanding teachers at various stages of their careers.

I was fortunate enough to recently attend one of its fellows and members dinners and a presentation of awards, held at the Concord Community Club on Friday 26 July. I acknowledge the guest of honour, Mrs Anna Dickinson, a former principal and CEO of Loreto Kirribilli Limited and the current director of the board of Catholic Schools NSW, who gave a very timely address on supporting teachers and teacher workloads. Also in attendance was my colleague from the other place the fabulous member for Drummoyne, Stephanie Di Pasqua. I also congratulate Dr Frederick Osman, the president of the Teachers' Guild, on another successful event. It was a night to celebrate excellence in teaching.

I take this opportunity to acknowledge some of those who were recognised on the evening. Firstly, Life Membership of the Teachers' Guild of New South Wales, in recognition of outstanding commitment and contributions to the Teachers' Guild, went to Phillip Heath, AM, currently the principal at Barker College. Honorary fellowships of the Teachers' Guild of NSW recognise outstanding educators who have made contributions within their mainstream sphere of work and more broadly across the profession. The winners included Dr Shaila Akhter, Darren Cox, Karen Easton, Melinda Haskett, Dr Keith Heggart, Dr Kathryn McLachlan, Tim Milkins, Robert Nastasi and Warren Poole. In addition, the Excellence in Education Awards were awarded to recognise excellence in educational practice. The winners were Belinda Bristol, Frank Chiment, Dr Christine Furner, Dr Gavin Hays, Matthew Mallison, Dr Kimberley Pressick-Kilborn, Simon Przydacz and Dr Janet Saunders.

The scholarship awards are for two educators currently in the second year of a Master of Teaching course at a recognised university. They went to Eliza Pascoe from the University of New South Wales and Lachlan Macdonald from Alphacrucis University College. While there were some fantastic awards given out that night, I do want to specifically acknowledge Eliza and Lachlan, who spoke very passionately about how excited they are to enter the profession, about the mentoring they are getting from their respective workplaces and about the support of their loved ones and families as they complete their degrees. I offer my congratulations to all winners and thank them for making a real impact on the lives of students in New South Wales. The Teachers' Guild of NSW remains dedicated to its founding principle of promoting high teaching standards, and it continues to serve the educational community while adapting to modern educational needs and challenges. I thank them for the invitation and I look forward to continuing to work with them.

## PETER V'LANDYS

**The Hon. MARK LATHAM (14:10):** According to his media acolytes, Peter V'landys is Australia's greatest ever sports administrator. How can this be true when the evidence presented to the Rosehill racing inquiry has revealed that Racing NSW has critical problems of nepotism, regulatory abuse, a toxic workplace, improper media relations and a lack of financial accountability? V'landys is a nonstop networker, dishing out political and media favours in his relentless accumulation of power. How was Daniel Hadley, the son of Ray, given a job in the integrity unit of Racing NSW after he was run out of the NSW Police Force for cocaine abuse? Even worse, why has V'landys now promoted him to the position of general manager of investigations?

Ben English was gifted a trip to the Kentucky Derby paid for by Racing NSW—why? Why spend money on a wealthy media executive when racing clubs around the State are being starved of funds? Why, other than to ingratiate V'landys to the Telegraph, which is easily bought off and now runs a hagiography bracket for "Part-time Peter". I will have more to say about this media cartel in the future, especially regarding the role of James Willis, previously of 2GB. Those who work there describe Racing NSW as a toxic workplace plagued by intimidation, favouritism, electronic surveillance and constant decision-making interference by the CEO. Evidence has been presented to the committee that the worst of this dictatorial behaviour is V'landys' persistent interference in stewards' inquiries.

As a 50-year racegoer, I am shocked to learn that the CEO intervenes in active inquiries to benefit his favourite licensed individuals and to punish those who either are powerless or have refused to toe the V'landys line. Stewards' inquiries should be completely independent and impartial. The entire reputation and workability of racing depends on it. Evidence presented to me has shown V'landys to be engaging in a constant pattern of regulatory abuse. His publicity has clearly gone to his head, and he has lost perspective on the limits of his role

and power. Megalomania is a dreadful thing, and it is ruining the New South Wales racing industry. For the sake of a sport that I dearly love, I believe V'landys should resign and hand over to someone who has the best interests of racing in mind, rather than the relentless pursuit of a toxic power base.

The culture at Racing NSW is all wrong and needs urgent repair, especially in the integrity unit and in the role of the stewards. How, for instance, was a cokehead like Philip Dingwall allowed to be the deputy chief steward while his boss, Marc Van Gestel, was in V'landys' pocket, fostering this pattern of CEO interference in incomplete hearings and charges laid—and the favouritism and impropriety that went with it? This is urgent work for the Minister for Racing and Gaming, David Harris. Unfortunately, as we saw in the Russell Balding matter, he has ignored these problems and has been another V'landys lackey—no different from his National Party predecessors, Kevin Anderson and Troy Grant.

### LOCAL GOVERNMENT AWARDS

**The Hon. Dr SARAH KAINE (14:13):** Last Thursday 1 August, I attended the Local Government NSW awards. It was a great evening. I was particularly pleased to be in attendance to see Councillor Stuart Larkins, from Kiama Municipal Council, receive the Councillor Pat Dixon Memorial Scholarship. In 2021, Stuart was the first Aboriginal person to be elected to Kiama council. He grew up in Kiama, still lives there and has family heritage connected to Kiama and the South Coast of New South Wales. The Councillor Pat Dixon Memorial Scholarship aims to support Aboriginal and Torres Strait Islander councillors and staff with financial assistance to help with further study, research or professional development.

The scholarship is named in honour of Councillor Pat Dixon, who was a trailblazer for Aboriginal women in local government. She was a Labor member elected to Armidale City Council in 1983. When I spoke to Stuart about what this scholarship means, he said that it meant a lot to him as an Aboriginal councillor and that he recognises the role of the scholarship in paving the way for Aboriginal people who contribute to the work of local government and the community. Stuart will use the scholarship to support his studies in a Master of Public Policy at the University of Canberra. He believes that undertaking this study will enable him to develop new skills and knowledge of public policy. I know Stuart, and I know that he is always keen to learn new things. He believes that education and professional development are lifelong endeavours. When I asked Stuart what drives him to be on council, he responded:

I believe local government is the closest form of government to the community. I'm driven by a passion to help people, and I believe local government should be able to work for everyone. As the first Aboriginal person elected to Kiama Council, I've been really pleased to advocate for local reconciliation and for greater awareness of our shared history and culture on the NSW South Coast.

Anyone who has seen Stuart in action as a councillor knows that these are things that he brings to all of the work he does at council and in the local area. I congratulate Stuart again on this fantastic achievement. I wish him all the best in the upcoming local government elections and look forward to watching his continuing achievements for the people of Kiama.

### SOUTH COAST COMMUNITY CABINET

**The Hon. NATALIE WARD (14:15):** On Monday 29 July the New South Wales Opposition held an excellent community cabinet in the South Coast and Shoalhaven region, including events in Nowra, Shoalhaven Heads and Ulladulla. The events support the Opposition to get out of the Macquarie Street bubble and engage locals on the ground in their community. During the day, Opposition members visited a local farmers market and attended a regional tourism round table to understand how the regional economy is performing and ways to help improve it, especially given the devastating effect of the Labor Government's cuts to Destination NSW.

In addition, we visited the Shoalhaven Starches facility, which is part of the Manildra Group, to understand how quality regional jobs improve the local economy and how Manildra works to ensure the facility manages production by-products in a sustainable way. We also visited a local Service NSW centre to inform the community about how the Government's cuts to Service NSW will affect customer wait times and customer service outcomes. The event would not have been possible without the support of great local community members, including the recently announced Liberal Party ticket for Shoalhaven City Council: Paul Ell, the candidate for mayor; Luke Sikora, the candidate for ward three; and Serena Copley, the candidate for ward one. Paul, Luke and Serena are dedicated and devoted local community members. Paul and Serena are already on council, and Luke will hopefully be joining them soon. They will make a formidable team and will provide locals with a strong voice and sensible management of the council's finances.

Throughout the two-day event, a range of key issues were brought to the Opposition's attention that deserve a mention, particularly the performance of the current council. Clearly, within the community there is an ongoing concern about the performance and quality of services locals are receiving from The Greens and Labor Shoalhaven City Council, whether it be funding for roads, the state of the budget or how to manage waste services. The key

message is that it is time for change in the Greens-Labor council, which has lost control of the budget and has stopped listening to the community.

The South Coast community raised time and again the need for continued roads investment, which is something that I have been talking about repeatedly. At a local level, this means improving the quality of local roads that council is responsible for. At a State level, the message was clear: Projects are stalling and there is no voice for this community on Macquarie Street. The Milton Ulladulla bypass has seen no progress. The Nowra bypass is not even getting off the ground. The funding for the Princes Highway south of Wollongong is at its lowest level in a decade. This means that the South Coast is simply being taken for granted.

Finally, I would love to touch on the Milton-Ulladulla Bulldogs, who, despite receiving a grant to rebuild their change room facilities and clubhouse, have been told no by the Shoalhaven City Council. As a result of the Greens-Labor mismanagement of council finances, the project is stalling. The planned rebuild would make urgent upgrades to the change rooms for women's teams. The Bulldogs are a great story of success. In particular, I publicly acknowledge the work of secretary Sally Stewart. She is a passionate voice for her community, and her community deserves better.

### BOATING NOW PROGRAM

**The Hon. MARK BANASIAK (14:19):** Last weekend I attended the Sydney International Boat Show by invitation from the Boating Industry Association. What a spectacle it was—although much of what was on display fit under the category "This is why I'm broke". What interested me most was Minister Haylen's announcement of a new funding regime for boaters, to replace the much-maligned NSW Boating Now Program. Under the Boating Now Program, various fees paid by boat owners were supposed to be used by councils to improve boating facilities. However, my interrogations in budget estimates hearings during the last Parliament exposed that the funds were being misspent. This has been confirmed during my ongoing regional boat ramp tour. Based on what I have seen, the program should have been called "Toileting Now" or "Picnic Table Now" instead.

Minister's Haylen's announcement of rejigged funding is welcome news. For almost two years I have been working constructively alongside the Minister's office to advocate for a comprehensive review of the Boating Now Program fund, which has been fed into the new funding streams. The Minister listened to my concerns and was receptive, showing a commitment to the process that was commendable, especially considering the inaction under the previous Government. The Minister's willingness to engage in the review is a positive step forward, but I will not jump too far ahead. One of the major achievements of the review is the agreement to include criteria for disabled and elderly access in any new grant application, and a specific funding allocation for this. This is a crucial development that was ignored for four years by the previous Government. Anyone who has used one of the thousands of boat ramps around our State will attest that accessibility is a pressing issue. Proper and sustained management of the fund is necessary to prevent it from falling back into the same inefficiencies that plagued it previously.

Over the past few months I have been travelling up and down the coast inspecting boating infrastructure as constituents bring issues to my attention. I will continue to do so, highlighting shortfalls and in turn making recommendations to councils to apply for the new funding. Many councils are hesitant to apply due to concerns around ongoing maintenance costs following these upgrades. This hesitancy must be addressed to ensure that necessary improvements are made; otherwise these projects can quickly become expensive and underutilised white elephants. The engineers and office bearers responsible for applying for and designing future upgrades need to incorporate the real-world experience and knowledge of locals who use these ramps regularly.

During my travels, I have seen washdown bays built in inconvenient locations, such as on steep hills or the opposite side of the road from the ramp; ramps with doglegs; ramps with uneven, slippery surfaces; missing floating pontoons; and ramps like the Stuarts Point boat ramp, which the previous Government blew \$3.1 million on, that are completely unusable because of poor design. I strongly recommend that the new Kempsey council, when elected in September, apply for the dredging stream of this funding so that ramp can be used. I will be keeping a keen, watchful eye on this new funding into the future, to ensure that it does not go the way of the Boating Now Program grant funding.

### MEMBER FOR GOULBURN COMMENTS

**The Hon. BOB NANVA (14:22):** No-one is completely infallible and immune from error, least of all those of us in an environment that is as fast-paced as the Parliament. In the thrust and parry of debate, there are slip-ups and mistakes that end up on record, so I will not seek to gratuitously criticise someone who has made an assertion in good faith when they may not have realised at the time that it was an error. However, if the platform afforded by the Parliament is used to mischaracterise someone who has a much smaller platform through which to respond, it is incumbent to correct the record, on the record. Over two months ago in the other place, a Goulburn



Mulwaree councillor was mentioned by name in the closing of a debate into a petition presented by the Goulburn Ratepayers Action Group. The ratepayers group had successfully advocated to the Independent Pricing and Regulatory Tribunal for a smaller rate variation in their local government area than was originally put forward.

Members of the action group, who are local residents, were in the gallery during the debate that day, and many more were watching online when, at the debate's close, the member for Goulburn stated that Councillor Jason Shepherd had voted for a special rate variation. This was not the case. Councillor Shepherd had never supported or agreed with a 51.2 per cent special rate variation. As I understand it, and to the member's credit, when she was informed that her assertion about the councillor was incorrect, she quickly and privately apologised to him. She also made a public post on her social media acknowledging the error and vowed to correct the public record.

The member deserves credit for her quick response and transparency. However, over two months on, a statement has not been made in the Parliament to address the inaccurate claim—something which I have now done today in this place. It is a timely reminder that the platform afforded to those of us in this building is much bigger and louder than that afforded to any other private citizen. So when it is used to make an assertion, in good faith or otherwise, that is found to be inaccurate, it stands to reason that the same stage be used to correct the record. The permanent record afforded by the *Hansard* should not be left unaddressed or uncorrected.

### ABORTION SERVICES

**The Hon. SUSAN CARTER (14:24):** I want to talk about statistics. We pass legislation in this place that causes a number of different types of statistics to be collated and published—but what then? What do we do with these important indicators of social health? The simple collection of data is not an end in itself; it is intended to inform future decision-making in this place, as well as across our society more broadly. Take, for example, the Abortion Law Reform Act 2019, which at section 15 requires medical practitioners to provide information to the Ministry of Health about terminations performed after 22 weeks gestation. The current figures indicate that, on average, three pregnancies a week are terminated in New South Wales at or after 22 weeks. We collect this data and make it available to those who inquire, but when do we reflect on it? When do we ask what this simple statistic tells us?

A termination at 22 weeks is not a first trimester procedure, which may be a response to an unplanned or unwanted pregnancy. By 22 weeks the mother has come to know the child she is carrying. She has felt its movement within her, and it is often around this time that she will find out if she is carrying a girl or a boy. She has passed the dog-tired and nauseous first trimester and has probably "popped", so it is likely that friends, family and workmates know of her pregnancy. The early decision point of a medical abortion or relatively simple surgical procedure has long passed. She now faces a termination procedure that must be performed in a hospital or other approved facility and may result in a child born alive—a life which, at 22 weeks, would spend a long time in the neonatal intensive care unit, but statistically would be a viable life. In short, a termination after 22 weeks is not run of the mill. It is a big decision, a turning point more than halfway through the pregnancy.

What is happening in these women's lives at 22-plus weeks gestation that leads to this change of direction? What pressures are women experiencing that cause them to change their mind, leading to termination? Is it that the workplace that should accommodate her pregnancy is not prepared to? Is it financial hardship? These are issues that we need to understand because they are pressures that we should not ask pregnant women to bear alone. Are we sure that these decisions are being made freely by women? Does a late-term abortion represent pressure from a partner who does not welcome the pregnancy? Are they hidden markers of domestic violence or coercive control, which we should be addressing? Abortion is a very political issue; that is clear from the current discourse in the United States of America. But this politicisation should not prevent us from asking the real questions raised by this troubling data.

### WOMEN'S SPORT

**The Hon. RACHEL MERTON (14:27):** The 2024 Olympic Games in Paris continue to bring all Australians great joy and national pride as we see the remarkable success of our team. In particular, the success of our female athletes has not gone unnoticed. An impressive 12 out of the 14 gold medals won by Australia so far at these games have been won by women. It is a source of great pride for our nation. Indeed, 55 per cent of the Australian team competing in Paris are women. We have come a long way from the Olympic Games held in Paris a century ago, at which there were no women representing Australia. We have celebrated women's sport at these 2024 games. However, we have also witnessed the contentious debate over XY chromosome athletes from Taiwan and Algeria competing in the women's boxing events. This debate has taken on a particular focus given it is a sport which, by its very nature, involves women being punched in the head. The Olympic Games women's boxing saga has brought issues such as fairness and safety in women's sport back into the spotlight.

It serves as a timely reminder of the potential impacts that the Equality Legislation Amendment (LGBTIQA+) Bill of the member for Sydney will have upon female sport in this State. As I have previously stated, the bill as currently drafted will delete the current legal protections for female-only sports under the Anti-Discrimination Act. Biological males will be able to compete against women and girls, with all the risks to safety that that entails, particularly for contact sports like boxing. The repercussions for fairness in women's sports are also alarming. Already we have seen the Flying Bats in the North West Sydney Football league, with at least five biological males, totally dominate the female competition. The member for Sydney's bill as currently drafted will strip back the few protections for women's sport that female athletes have left in New South Wales.

Allowing biological males to participate in women's and girls' sport risks unfair advantage. Biological males possess physical advantages such as greater muscle mass, strength and speed, which can create an uneven playing field. There is also the loss of opportunities for girls and women. Quite simply, allowing biological males to compete in girls' and women's sports may lead to fewer opportunities for biological females. We need to continue to celebrate and promote women's sport and encourage greater participation. The spectacular success of our women at the Paris Olympics and our women's soccer team, and the amazing success at home of competitions such as the NRLW and the AFLW, provide inspiration to girls and young women.

To continue that, we need to defend women's sport. We need to preserve fairness and equal opportunity by maintaining separate categories for biological males and females. Of course everyone should be recognised, but we need to accept the reality that there are biological differences between males and females. Such actions safeguard female opportunities in sport. The Paris games have shown all of us how fantastic women's sport is. Let us celebrate that.

### REGIONAL ROADS

**The Hon. WES FANG (14:30):** I make a statement about the state of roads.

**The Hon. John Graham:** Finally!

**The Hon. WES FANG:** I note the interjection. This Government seems very focused on metropolitan roads, but those who live in rural and regional communities know that the state of their roads is quite poor. That is partly down to the weather, which has been challenging. But when we had previous wet weather, those on this side of the House, when in government, supported councils and Transport for NSW to get those roads back into shape. At the moment, rural and regional drivers know that the roads are particularly poor. The contribution of my colleague the Hon. Natalie Ward indicates it is not just in my area of the Riverina but also on the South Coast—I suspect it is all over the State.

We heard loud cries from those opposite at that time of wet weather, when we needed to increase road funding, yet the Minister for Regional Roads seems to be extremely quiet on additional funding for roads. Local government needs support from the State Labor Government to continue the work of repairing roads, including the safety upgrades brought in by the previous Government, to make sure that our roads continue to be first class. Ultimately, the roads we travel on in rural and regional areas are the way we get much of our produce, both food and fibre, to markets. It is how our kids get to school. It is how we get around, because public transport is a bit of a challenge.

I would like to see this Labor Government focus less on metropolitan roads and toll relief for metropolitan drivers, and more on rural and regional communities and drivers, because they are often the ones losing their lives on roads. The Minns Labor Government's focus on metropolitan areas is misguided, and I encourage the Special Minister of State to speak to his colleagues about an increase in funding for regional roads.

### *Bills*

### PILL TESTING TRIAL BILL 2023

#### Second Reading Debate

**Debate resumed from an earlier hour.**

**The Hon. JACQUI MUNRO (14:34):** To conclude my earlier remarks on the Pill Testing Trial Bill 2023, I note that MDMA use in Australia went up by 19 per cent between 2021 and 2023. Wastewater reports also show spikes, particularly during summer, which I suspect are associated with festivals. There is a clear shift in the pattern of use in Australia, which we need to realistically address and respond to. We also need to face the unfortunate reality that drugs like fentanyl are coming to Australian shores from the United States and around the world, getting into substances and causing severe impacts to users. It can be a deadly drug, which people do not know if they are not getting tested, especially in an unregulated market. I am aware that some clubs in Sydney are stocking naloxone. I do not know if "antidote" is the right word, but it reverses some of the deadly effects of

fentanyl. The reality is that industry is already responding with such measures because it does not want people risking their lives in its premises, as is currently happening. I look forward to the remaining contributions from honourable members.

**The Hon. TAYLOR MARTIN (14:36):** I contribute to debate on the Pill Testing Trial Bill 2023. I have given the subject a lot of consideration since we last visited the issue a few years ago. My views have changed vastly since then, due to developments—some negative and some positive—regarding the practice of pill testing and drugs currently classed as illicit. My first and foremost concern, as the Hon. Jacqui Munro mentioned, is the increase in substances such as fentanyl, nitazenes and N-methoxybenzyl or N-Bomb, which have been found contaminating many other substances in the market. They can easily lead to fatal consequences—and they have.

We are fortunate that Australia is a well-protected and somewhat isolated island continent, unlike the United States of America, Canada and other countries where fentanyl and the like are easier to import and add to substances. That is not so much for the purpose of cutting them down and filling them out; rather, they are used to enhance the effect of the other substances purchased and make those drugs more potent. That has seen a serious crisis, particularly in North America, which we all should be very concerned about should those synthetics, or substances like them, ever get a real foothold in Australia.

At the moment, without sufficient testing to flag the adulteration of certain well-known substances such as ecstasy or ketamine with other lethal and seriously dangerous substances, we are effectively saying to people that they are completely on their own. Despite having the ability to reduce harm via testing, we are unnecessarily letting our young people be the canaries down the coalmine. We have the opportunity to save lives and we should take it. Saying "just say no" is not going to work going forward, should we see the trends overseas take hold here.

Even looking back, saying "just say no" has not worked. To the many people who take that approach and genuinely think it is a serious strategy, I say congratulations. I envy anyone who has such a view and has not been exposed to, or does not even understand, the deep trauma that some people need to deal with in their lives such that they may turn to such substances for respite. To intentionally ignore the looming issues and the warnings of where the illicit drug market is headed—for example, with the dwindling supply of traditional opiates, particularly out of Taliban-controlled Afghanistan, and the widespread increase of extremely potent synthetic opiates around the world—is to be dangerously negligent.

Testing introduces some of the positive elements of a well-regulated market. Other jurisdictions have shown over time that manufacturers succumb to the pressure not to adulterate their products because it will be picked up, and they will face market repercussions and a loss of business. Testing gives recreational drug users, who typically are young people, an opportunity they otherwise would not have to discuss with a health professional what they are about to ingest. It provides an opportunity to present to those people the facts of what they are about to take, how it may affect their body, and just what they are risking.

In the United Kingdom, a study found that 20 per cent of those who presented with substances to be tested disposed of them after testing and that this experience led to a majority of festival goers disposing of other substances also, not only what they presented on that day. That is clear evidence showing that, rather than giving a false sense of security and potentially encouraging more illicit drug use, pill testing changes the perceptions and behaviour of those who are already purchasing and consuming illicit drugs. Ironically, introducing pill testing seems to have a sobering effect on the attitudes of the people who need to be more rational when it comes to recreational drugs—the drug users themselves.

I understand the views put by the Opposition that the adulteration of drugs is a lesser threat than the intended substance, particularly MDMA, which is known as ecstasy. A few years ago I was a member of the then Government when we debated and voted against pill testing, and those were my views too. Identifying and removing adulterating substances is a positive step, which not only helps the individuals who have their substances tested but also has seen the use of these substances reduced drastically in jurisdictions where testing has been trialled or implemented. Introducing young people to members of NSW Health and other organisations at the point at which they are about to ingest illicit drugs is a very positive step. It can greatly assist those festival goers in altering their decision-making right there.

I acknowledge the Opposition's key argument against such a trial—that it is not the adulterations causing deaths in New South Wales but rather the high dose of MDMA. Professor Measham from the University of Liverpool in the United Kingdom founded The Loop Drug Checking Service, where they utilise mass loss analysis to provide a fast and accurate method of quantifying MDMA, particularly out in the field. This has been used to great success in the United Kingdom very recently. Why would we not want to see that used in New South Wales to cease high-dose deaths? We can address the issue of adulteration of substances and high-dose issues as well as providing health professionals with a chance to educate these people and explain why there is no safe level of drug use. Other jurisdictions, particularly in Australia, ensure that exact message—"There is no safe level of drug

use"—is plastered across testing centres. I imagine that this message would also be echoed strongly throughout testing centres in New South Wales.

Importantly, it gives professionals an opportunity to reiterate to users that mixing drugs can be fatal. Poly-drug complications are the number one cause of drug-related deaths in the United Kingdom. In a 2022 study, Professor Measham found that half of testing service users surveyed were more cautious about mixing drugs after their interactions with the testing service. Providing testing gives the opportunity for those conversations to be had before drugs are ingested. I understand that the Government will hold its long-awaited drug summit later this year. Summer is coming; it has been a long winter. The cost of living is increasing, and no-one is feeling that more than our State's youth. The pressures around drug use are manifold. When we discuss this subject in this Chamber, it is easy to paint the picture that the problem is as simple as young people looking for a high during an outing—it is not.

I have sympathy for the view that stakeholders must be consulted when it comes to implementing such a scheme, particularly health and police. But this is not rocket science—chemistry, maybe, but not rocket science. Other jurisdictions have implemented a scheme to great effect. Professor Measham from the University of Liverpool conducted a fact-finding trip to survey how Commonwealth jurisdictions, including Canada, New Zealand and Australia, were addressing the issue. She claims that NSW Health provided advice that legislation was not required and that such a pill testing scheme could be set up pretty easily in New South Wales using the protocols in place for needle and syringe programs.

I will move a motion so that the final report can be produced ahead of the Government's drug summit for the purpose of collecting information and views of stakeholders to inform any trial that may take place over the forthcoming summer. I would prefer to see a bill drafted by the Government than one proposed by The Greens but, in the absence of any move by the Government to implement testing ahead of the upcoming festival season, I must vote for the bill, with or without it being examined by an upper House committee.

I appreciate that the Government will be reticent to move towards testing as it will not want to be tarred with encouraging drug use. I say that because, when this proposal was flagged in discussions when I was a member of the Berejiklian and Perrottet governments, a point often raised was that any death that occurred after pill testing is introduced could reflect extremely poorly on that government. This issue is too serious to worry about perceptions or polls. We have an opportunity to make a terribly murky market much safer for all our young people, recreational drug users and people struggling with mental ill health or drug addiction in New South Wales.

Given that there seems to be a level of confusion in this Chamber regarding the facts of implementing a scheme, I move:

That the question be amended by omitting "be now read a second time" and inserting instead "be referred to the Standing Committee on Social Issues for inquiry and report."

**The Hon. RACHEL MERTON (14:46):** I speak against the Pill Testing Trial Bill 2023, which seeks to facilitate illicit and unlawful drug taking through New South Wales sponsored pill testing. I am firmly opposed to any moves to decriminalise and make more convenient the use and possession of prohibited drugs. The catastrophic impact of illicit drugs on our community is obvious. Everyone today seems to know someone who has wrecked their life because of drug use. I share the concerns expressed earlier by the Hon. Susan Carter about victims of drug use and drug abuse. I find it unacceptable that the answer to this crisis in our community is to simply throw in the towel and use government resources to facilitate breaking the law through illicit drug testing at music festivals, which are attended by young people.

Not a single cent should be spent by this State to facilitate individuals to break the criminal law of New South Wales. In my opinion, the foreshadowed implementation of government-sponsored, taxpayer-funded illicit drug testing is another step towards taking our State down the road of San Francisco, or any number of failing American cities that now are suffering untold damage from the implementation of a liberal agenda that, through inaction and absurd policy decision-making, has unleashed tonnes of illicit drugs on the streets. It has been suggested that government-sponsored illicit drug testing ought to be available at music festivals at ice injection rooms. Drug use at music festivals is a concern in the community, especially for parents whose children attend.

The answer is to protect the health of the community in such circumstances, not to facilitate further illicit and unlawful drug taking through government-sponsored pill testing. Instead, it should be treated as a health and a law and order issue, and the increased use of police drug detection dogs should be used to make it obvious that the use of MDMA and party pills is not safe. It is wrong that we should promote the myth that illicit drug use is safe after government testing. The reasons New South Wales should not go down the slippery slope of drug liberalisation and implementation of government drug and pill testing are many. If illicit drugs are dangerous, it seems highly unusual and irresponsible that the Government would facilitate and fund further drug testing and

expose individuals to a real threat. Government-funded testing of illicit pills sends entirely the wrong signal to those who need to be discouraged from taking illegal drugs.

If a government officer, after testing a pill, says it is safe to take it, then that invariably will encourage other citizens to think it is fine to take illicit drugs on the basis they have been tested and are now safe. The introduction of government-provided pill testing will, quite simply, exacerbate drug taking and use. What if the result says the drug is clean? That offers no guarantee that the drug is actually safe to take. Pill testing will provide a false sense of security when the risk of harm, through the taking of what are illicit and unlawful drugs, remains. Who will be responsible if a young person has an adverse reaction to a drug that has been tested? Where is the duty of care?

The responsibility for any potential New South Wales government-sponsored illicit drug testing needs to be agreed to by government. Who is responsible for the test? If an illicit drug is tested and given the green light as safe, but the user subsequently dies, who is responsible for the loss of life? Who will be responsible for compensation? Will the officers or the State of New South Wales take up any responsibility? I acknowledge that any government pill testing regime that is implemented will raise a significant number of legal issues from both a criminal law and civil law perspective. What happens when a government pill tester takes some illegal drugs, tests them and then returns them to a user? What is the tester's liability? What duty of care is in place?

The Coalition takes the threat of drugs in our society very seriously. While in government we established the Special Commission of Inquiry into the Drug "Ice" to investigate and advise on how best to tackle the growing use of ice. We ended up accepting 86 of the 109 recommendations. We were serious about ending the deaths caused by that drug. What we did not support, and I do not support, is making the taking of dangerous and addictive drugs easier through a taxpayer-funded drug test. The drugs are illegal. They wreck families and they destroy lives. The fact that the people of New South Wales are ultimately subsidising illicit drug abuse is a terrible and appalling situation. As I have said previously, how can we tell children not to take drugs when the Government takes a role as a facilitator underneath the veneer-thin argument of harm minimisation? I register my concern with the bill.

**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) (14:51):** I thank members for their contributions. I have spoken on this matter in the House before, so I will not add to the views of the Minister; rather, I refer members to my previous comments. I respect the seriousness of the issues that have been raised in the debate today. It is clear that members have differing views and that is why the Government is proposing to deal with those issues, as the Minister indicated, through the drug summit. The summit is a chance to reconcile competing views with evidence, and that is the reason the Government is following the path that the Minister has outlined. I indicate that for those reasons the Government opposes the amendment.

**The Hon. JOHN RUDDICK (14:52):** It is with reluctance that the Libertarian Party opposes the Pill Testing Trial Bill 2023. We are reluctant to oppose it because we support pill testing—or, more accurately, we believe the State should not be interfering at this micro level in the behaviour of individuals. The nineteenth century proto-libertarian Lysander Spooner well described the difference between a vice like drug taking and a crime punishable by the State. Wise Mr Spooner said:

VICES are those acts by which a man harms himself or his property.

*Crimes* are those acts by which one man harms the person or property of another.

*Vices* are simply the errors which a man makes in his search after his own happiness. Unlike crimes, they imply no malice toward others, and no interference with their persons or property.

In vices, the very essence of crime—that is, the design to injure the person or property of another—is wanting.

It is a maxim of the law that there can be no crime without a criminal intent; that is, without the intent to invade the person or property of another. But no one ever practises a vice with any such criminal intent. He practises his vice for his own happiness solely, and not from any malice toward others.

Clearly most drug taking is, like alcohol, a personal vice and not a crime, though I do make a distinction around the few drugs that cause some users to engage in violence or that trigger an addiction that causes the addict to resort to crime to feed the habit. In the 1960s a not insignificant minority of younger people took drugs. The same thing happened in the 1970s, the 1980s and the 1990s, and every decade that has been and that will come this century. It may be theoretically possible to completely stamp out drug use in a society, but we would need 50 times as many police prying into private lives. We would need a Stalinist State—but even Stalinist North Korea cannot stamp out drug use.

I understand the Opposition is opposing the bill for a different reason than I am, but I do commend the contribution of the Hon. Jacqui Munro. Their opposition is because they think drug use is harmful. They may well be right that drug use is a net negative, so let's assume for a moment that is the case. If drug use is a net negative

in all users, what is the correct response? Option one is to use the threat of State violence to enforce its will. If that was entirely successful in stamping out all drug use, it would not be because hearts and minds have changed but simply because the citizens fear the violence of the State. Option two is for the State to get out of the way and let private groups and individuals tackle the challenge themselves and launch a public awareness campaign about the dangers of drug use. If they have a good case, they will persuade potential users to not take drugs. When spelt out like that, it is obvious that option two is both more humane and more likely to be successful in deterring drug use, and that is why I support pill testing.

Rightly or wrongly, people do and will take drugs. Pill testing saves lives, but I cannot support the bill because it will be government regulated and controlled. The bill will create new bureaucrats to issue licences and to monitor the performance of licensees. The Opposition does not like pill testing, so it wants it banned by the State. The Greens do like pill testing, so they want it subsidised and controlled by the State. Libertarians believe the logical solution is to get the heavy-handed, clumsy government out of the way and let the free market fill a need. Micro-entrepreneurs will experiment and learn from each other on how to provide a pill testing service that is in demand. Some venues may offer free pill testing with the provider paid by the event organiser. Some venues will let pill testing services operate for a small profit. Some venues will permit one preferred pill tester, and others may let multiple pill testers compete at the entrance to their venue.

An unimpeded free market will iron out the process and deliver a cheaper, more efficient and more effective pill testing service. If the Government is involved, then those who get awarded a licence will not be focused on how to please and satisfy customers; they will always have in the back of their mind the fear, "How do I keep the Government happy so I get my licence renewed?" The bill states that a licence needs to be renewed every two years, which makes the State the most important factor in what should be a small business focused on customer satisfaction.

The bill creates yet more unnecessary bureaucracy and State-enforced rules and protocols that will not result in excellence. It is a recipe for bureaucratic sloth and waste. If the bill passes, only a bureaucrat can issue a pill testing licence to someone they deem a "suitable person". The State, not the marketplace, will become the arbiter of who is and who is not a suitable person. The bill states:

Conditions may be imposed by the Secretary on a licence, in addition to conditions imposed by the proposed Act or by the regulations.

That vagueness sounds terrible. It opens the potential for licences only being issued to those the State favours, with no regard to the quality of their service. The free market, on the other hand, will only reward quality of service. What the bill will do is cost taxpayers more and spur the black market in pill testing because the black market is always more efficient than a highly regulated market, although the black market has other downsides like tax avoidance—not always a bad thing—and a lack of liability for a faulty pill test that does result in harm. The vision I have outlined for a deregulated pill testing market is not only logical but inevitable. It is only a question of how long it takes for this place to resist the impulse to be a nanny State that towers over us and micromanages our lives.

**Ms CATE FAEHRMANN (14:58):** In reply: I thank everybody who spoke to the Pill Testing Trial Bill 2023. I acknowledge the consideration given by members and the different views and ideologies, if you like, of people in this place when it comes to drug use. In the time I have available, I will address a few of the issues that came up and the standard arguments against pill testing. I start with the Opposition contribution from the Hon. Susan Carter, who said that nothing supports the claims that pill testing reduces harm. That is simply not true. The coronial inquest into the death of six patrons of New South Wales music festivals found that there is strong evidence to support a range of initiatives, including drug checking. The ice inquiry commissioner found exactly the same thing. The literature, submissions and evidence before the inquiry identified numerous benefits of a substance testing service. Those inquiries took place over many days, with dozens of experts and hundreds of submissions, and produced an 800-page report. It is extremely well founded and based on large amounts of evidence.

The second issue that came up—and it comes up quite a bit—was that drug checking services only test for contamination and different substances but not for the strength of MDMA. I acknowledge that the coronial inquest found that those very unfortunate deaths arose as a result of MDMA purity. Death is usually related to the quantity of drugs taken. This bill does not address the use of sniffer dogs outside of festivals. However, Alex Ross-King died because she consumed multiple pills after seeing drug dogs outside a festival. Her mother, Jen Ross-King, is an incredible advocate for drug checking, pill testing and removing drug dogs at festivals.

Testing the strength of MDMA can be done. The most important thing about drug checking services is that people who use those services, either in the community or at a music festival, are able to talk to a counsellor or a health professional once they get their drugs tested. Testing for the purity of MDMA does exist. People can be

advised that they have a strong pill—that it is three times what a usual pill should be. They can be advised that it is incredibly dangerous if they take one and potentially fatal if they take two.

The first advice a health professional will give is "Don't take this drug." Every health professional at every drug testing facility says that the safest thing to do is to not take the drug. But the statistics show that one in three people aged between 18 and 24 in this country have taken an illegal drug in the past 12 months. That is about 800,000 people between the ages of 18 and 24 who have taken an illegal drug. Commenting "just say no" or "we wish people didn't take drugs" does not work. Let us work out how to prevent people dying from taking drugs. That is what health professionals do. Their first bit of advice is, "It is best if you do not take this MDMA. The safest thing to do is not take it." If the person says, "No, I still want to take it," the health professional can advise, "This is how to do it safely."

Numerous people who attend drug checking services in the United Kingdom and the Australian Capital Territory say that they modify their behaviour. That is the evidence from around the world. One young girl was quoted as saying that, after speaking to professionals and realising that she had a strong pill, she changed her behaviour. She took half a pill during the day and half a pill at night. A lot of people discard their drugs when they learn that fatal substances are circulating. This issue is not just about pill testing. I acknowledge that the Hon. Courtney Houssos said that it is about drug checking. In the time since I gave my second reading speech on the bill, the circulation of synthetic opioids has increased. I acknowledge the contribution of the Hon. Taylor Martin, who has clearly done his research and is concerned about that as well. People in this State are buying drugs they think are cocaine, ketamine, MDMA or heroin, but they contain substances that make them up to 500 times stronger.

It would be great if people did not take drugs and did not need to. I acknowledge that 90 per cent of drug use is recreational and does not lead to harm. It is 10 per cent of people who need treatment. The bill is about saving lives. That is what the Victorian Premier said when she said yes to drug checking in Victoria. She said that she was doing it to prevent every parent's worst nightmare. I am afraid about waiting until the drug summit, because I think the recommendations from the drug summit will take a long time to be implemented and may never be. Let us trial pill testing. Let us save lives.

**The PRESIDENT:** The question is that this bill be now read a second time, to which the Hon. Taylor Martin has moved an amendment. The question is that the amendment be agreed to.

**The House divided.**

Ayes .....8  
Noes .....27  
Majority.....19

**AYES**

Boyd  
Buckingham (teller)  
Cohn

Faehrmann  
Higginson  
Hurst

Martin (teller)  
Ruddick

**NOES**

Buttigieg  
Carter  
D'Adam  
Donnelly  
Fang  
Farlow  
Farraway  
Graham  
Houssos

Jackson  
Kaine  
Lawrence  
MacDonald  
Maclaren-Jones  
Merton  
Mitchell  
Moriarty  
Munro

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

**Amendment negatived.**

**The PRESIDENT:** The question is that this bill be now read a second time. Is leave granted to ring the bells for one minute?

**Leave granted.**

**The House divided.**

Ayes .....7  
 Noes .....28  
 Majority.....21

#### AYES

Boyd (teller)  
 Buckingham  
 Cohn

Faehrmann (teller)  
 Higginson

Hurst  
 Martin

#### NOES

Buttigieg  
 Carter  
 D'Adam  
 Donnelly  
 Fang  
 Farlow  
 Farraway  
 Graham  
 Houssos  
 Jackson

Kaine  
 Lawrence  
 MacDonald  
 Maclaren-Jones  
 Merton  
 Mitchell  
 Moriarty  
 Munro  
 Murphy

Nanva (teller)  
 Primrose  
 Rath (teller)  
 Roberts  
 Ruddick  
 Sharpe  
 Suvaal  
 Tudehope  
 Ward

**Motion negatived.**

#### *Documents*

### SYDNEY METRO CITY AND SOUTHWEST

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

**The Hon. NATALIE WARD (15:15):** I move:

That, under Standing Order 52, there be laid upon the table of the House within seven days of the date of passing of this resolution the following documents created since 7 June 2024 in the possession, custody or control of the Premier, the Minister for Transport, the Minister for Industrial Relations, and Minister for Work Health and Safety, the Minister for Customer Service and Digital Government, Minister for Emergency Services, and Minister for Youth Justice, the Treasurer, Transport for NSW, Sydney Metro, Sydney Trains, the Office of Transport Safety Investigations, the Premier's Department, the Cabinet Office, Treasury, or Fire and Rescue NSW relating to the proposed opening and postponement of Sydney Metro City—Chatswood to Sydenham:

- (a) all documents, including all ephemeral or facilitative messages, drafts and presentations relating to the opening of Sydney Metro City—Chatswood to Sydenham;
- (b) all documents, including all ephemeral or facilitative messages, drafts and presentations relating to the proposed opening date of Sydney Metro City—Chatswood to Sydenham;
- (c) all documents, including all ephemeral or facilitative messages, drafts and presentations relating to the postponement of the opening date of Sydney Metro City—Chatswood to Sydenham;
- (d) all documents, including all ephemeral or facilitative messages, drafts and presentations relating to Sydney Metro City—Chatswood to Sydenham, and the Office of the National Rail Safety Regulator or the Fire Brigade Employees Union;
- (e) all briefs sent, received or approved by a Minister, ministerial office, department secretary, head of an executive or separate agency, or individuals with delegated authority, relating to the opening, proposed opening date, or postponement of the opening date of Sydney Metro City—Chatswood to Sydenham; and
- (f) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This is a fairly simple motion that goes straight to accountability and responsibility of government when it comes to major infrastructure. This is not a fishing expedition. The effect of this motion is to assert that the House and the people of New South Wales deserve to understand how the opening of a project that cost \$21 billion worth of taxpayer money was blown, affected or influenced in any form. If the Government delivered the opening of the metro line on 4 August as it publicly announced, there would be no need for this motion. I will get to the seven-day turnaround to make some comments. Before I do, let's understand the situation.

The facts that are not in dispute are that the Government announced the opening date for a major infrastructure project four weeks before opening. The press release came out and the Minister got the social media tiles cut up, all without any approval from the safety regulator. On 11 July the Fire Brigade Employees Union issued a "code red" on the project, which has clearly had some impact on the project delivery. I do not think that is in dispute. That is a fact; it is in print. Then there was silence.



On 26 July the code red was lifted. There was no more code red. That was all gone. The Government reaffirmed the opening date of 4 August. Then, four days before opening, the Government said, "Sorry, it won't be opening, but there's nothing to see here." The story is that the Premier was told five days beforehand that a \$21 billion infrastructure project was not going to open on the announced date, which could possibly be true. What I do not believe is true is that no public servant was aware of these issues with the opening date or raised them with the Government or with anyone else.

As a former Minister who delivered infrastructure, it is not believable to me that the Government—or any government—leading up to the opening of a billion-dollar metro line would not have received ongoing advice about the appropriate announcement date, safety issues and how to manage the opening. If the Government was not repeatedly warned that the opening date was under pressure or not achievable or that publicly announcing the date would not come without risk, and the Government's line is true, it would be a complete failure of the public service. If they allowed this opening date to be announced and did not provide ongoing advice to the Government on the process until four days before the opening, that is not believable.

The first excuse the Government put out was, "We won't put any pressure on the safety regulator." That excuse does not make any sense considering they announced a date without the approval of the regulator. The next excuse was that it takes 15 days to approve the paperwork. If it takes 15 days to approve paperwork, surely the Government would have been told about these issues in some form prior to four days before it announced the opening. If it was not warned, the Government should be happy to support the motion and clear it all up. Ultimately, this is about accountability. It is about who knew what and when.

I will briefly touch on the seven-day time frame. The reason for that time frame is that the public needs to know and has a right to know what happened and when regarding the opening. Who was told what and when? The Government keeps mentioning safety. It is all about safety. If safety is in the public interest—which I agree with—surely safety advice was also required throughout the process. The safety advice provided to the Government is in the public interest. The public deserves to know what happened and the Government is required to be accountable.

The matter is very specific. Senior executives and ministerial offices should be able to get the information back to the Parliament within seven days. It is not complex. It is not extensive. There is no need for a six-week saga to get to the bottom of what went on. I understand if more junior public servants are unable to get all the details back within seven days, but surely ministerial offices, secretaries of departments and CEOs can provide that information with a simple search of the inbox within seven days. This is a search of documents over a two-month period, not 18 months or from the start of this term of government. It is a simple inbox search that should return the required documents.

I note that the Opposition expects claims of personal information and Cabinet in confidence, and challenges to the arbiter. Those will come just so the Government can slow the effort to understand what went down as much as possible. The Opposition seeks documents that show who was told what and when, what the warnings were, who actioned the advice, who ignored the advice, what changed and when the advice changed. Finally, I state for the record that the reference to ephemeral or facilitative messages was defined by the fine public servants in the Procedure Office in response to the Government, which said that it was not including those items. The phrasing is expected to be inclusive, and the items are defined in schedule 2 to the State Records Regulation.

**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) (15:20):** I have spoken substantively on some of these matters in question time, so I will not use my time in this debate to go into the Government's view on the opening of the metro. Those views are on record from the Premier and the Minister, and I have also spoken on them in this Chamber. I indicate the Government's strong opposition to the timing of this call for papers. To have this done in seven days not only is different to the way the House usually deals with these matters but also will cause, on the advice of Transport, significant operational issues. That was the advice given to the Government. That is the reason the Government opposes the motion.

The shadow Minister is entitled to ask questions about this. It should be a matter of public debate; the Government has no problems with that. But it should be dealt with in the budget estimates hearings. To ask for documents in relation to five ministries, eight departments and agencies, and external regulators and trade unions, and for everything received by relevant Ministers, secretaries and delegated individuals, and Fire and Rescue agency personnel working to open the metro, on a seven-day timescale, is not reasonable. That is the position of the Government.

For those reasons—the broadly cast scope, the number of agencies and Ministers, and the seven-day turnaround—the Government opposes the motion. It is estimated that well over 10,000 documents will be captured. It could be closer to 20,000 documents. I put this advice on record: Due to the breadth of the terms of

the order, the number of agencies named and the time frame, the order itself could affect the ability of those agencies to deliver metro projects. That is the advice the Government has received and the reason for its position. As members will recall, the opinion of Solicitor General Michael Sexton and Anna Mitchelmore, then counsel but now senior counsel, dated 9 April 2014, which has been tabled in the House and published, notes:

It would be reasonable in our view, to query or dispute an order that contained an impractical deadline or referred to no specific subject matter in relation to the documents sought ... or referred to a subject matter that was so broad and unwieldy as to place great practical difficulties on compliance.

The Government is concerned that this order, in its current form, bears the hallmarks referred to by the Solicitor General and Ms Mitchelmore in their advice. As Opposition members would understand, the number one priority is the opening of the metro. The House is entirely entitled to pursue these documents. This matter should be subject to public scrutiny, but the timeline is totally unreasonable. That is the view that I put to members on this matter. I would be delighted to debate the merits of the metro, but I invite questions in question time tomorrow on that matter. I understand that an amendment might be moved to extend the timeline to 14 days. While that would be welcome, it would still be very difficult to comply with.

**Ms CATE FAEHRMANN (15:24):** I indicate that The Greens will support the motion if the time frame is amended. The Greens support transparency. There have been enough issues raised in the media over the past couple of months. There are concerns that we need to get to the bottom of in terms of the safety of the metro. That is all fair enough. However, the number one priority for the public is not to know who knew what and when, or when the Minister was told and all of that; it is to actually get the metro up and running.

The public is sick and tired of seeing the politics of public transport projects and various infrastructure projects and decisions of government playing out time and again. It just wants the Government to get on with it. I know lots of people in my circles who were very excited about the metro opening. I understand that the public servants involved in the opening of the metro would be working very hard right now. Our preference would be for them to focus as much as possible on ensuring that the metro is open as soon as possible, while at the same time ensuring that the documents are produced.

I am not convinced of the need for a seven-day time frame. A longer time frame is warranted—for example, 14 days. I understand that there may be an amendment moved to that effect, which The Greens would support. It is important that we get the documents. Some documents have already been leaked to the media around the safety concerns raised by various unions and safety authorities. Let us put politics last. Let us get the opening of the metro fast-tracked as much as possible. Let us make sure that those public servants can focus on sorting out the safety issues and opening the metro, and then let us go through what has happened in the past. Again, The Greens support transparency. We support the motion, but a little flexibility in the time frame is warranted.

**The Hon. MARK BUTTIGIEG (15:26):** I move:

That the question be amended by omitting "seven days" and inserting instead "14 days".

The issue has been well aired during the debate, but I will go over the reason for the amendment. The motion prefaces each paragraph from (a) to (f) by stating, "all documents, including all ephemeral or facilitative messages". That is apparently induced by agencies saying that in some orders for papers, we have not included ephemeral or facilitative messages. One can imagine that scope is so broad as to include anecdotal communications that are of a facilitative nature or conversations that may have been had, such as "I propose we have a meeting to show this presentation."

For Opposition members to order the production of such a vast quantity of documents within seven days, which is casting the net so wide as to include those ephemeral and facilitative messages, is totally unreasonable. As the Minister just outlined, the Government agrees that the public deserves to have scrutiny of the discussions and documentation from the lead-up to the delay, which was based on safety grounds. But the motion is unreasonable. In fact, my view is that the Government is being overly generous in moving an amendment to allow 14 days. I have been a member of this House for five years, and my recollection is that for such a broad scope of inquiry we usually pushed the time frame out to at least 21 days, and in some cases 28 days.

The offer of 14 days is more than generous. It is unreasonable for those opposite to expect public servants to sit down for endless hours to try to produce the documents within seven days, when the efficacy of public scrutiny will not be hindered by an extra seven days. I ask members to be sensible. The Government has agreed to the scrutiny. All it is asking for is an extra seven days. It is generous at 14, and the House should accept that. Given the broad remit that the documents requested includes facilitative and ephemeral messages, it is more than reasonable that the 14-day time frame stand. I commend the amendment to the House.

**The Hon. CHRIS RATH (15:29):** I thank the Hon. Mark Buttigieg for using all of the same talking points that we used only 18 months ago when we were sitting on the government side of the Chamber. The reality is that

when you look back 18 months, we made the arguments about unreasonable time frames on Standing Order 52 requests, and what did Labor do? It pressed ahead anyway with very short time frames. We made all the same arguments about an unnecessary burden on public servants, but the difference is that this Standing Order 52 request is incredibly narrow in its scope. It is not that difficult for the department to take a look at the documents and press a few buttons over a very short time frame in the period leading up to the supposed opening of the Sydney Metro. It should not be that difficult. We think it should be quite easy to produce those documents within a seven-day time frame. But I thank the Hon. Mark Buttigieg for using all of the same talking points that we used when in government.

The reality is that this Government has completely bungled it, and we need to know what happened and the exact reason for the delay in the metro opening. All of the social media content and media releases that the Government put out did not have fine print about it being subject to safety concerns or approvals. "Metro opens Sunday August 4." It was pretty emphatic. The Government wanted the headline, wanted the quick win and wanted to cut the ribbon, but it completely stuffed it up because it is beholden to the trade union bosses. They are negotiating with the Government on pay and conditions, and the Government cannot stand up to them. The Government put itself in this exact position. As a comparison, one need only look at what we did when we were in government in 2019 with the Sydney Metro North West upgrade, which was 10 months ahead of schedule—unlike Labor members, who made announcements and promises that it cannot keep. It was far from what we saw with the failed opening last Sunday.

Minister Haylen promised that the metro would transform our city, but this is just another example of this Labor Government's unorganised and poor management, with the cost of Sydney Metro spiralling \$9 billion over budget. However, only a Labor Government could make this failure even worse, as Sydney Metro decided to continue with the plan to adjust the bus timetable to reflect the 37,000 people estimated to ride the Sydney Metro during peak hours, causing chaos for thousands. What an absolute disgrace. It was not predicted in the social media content or the media releases. The Government wanted the public relations win, but it has blown up in its face. That is why we need these documents.

**The Hon. EMILY SUVAAL (15:32):** So much for the members opposite wanting to get the Sydney Metro open. They have now moved a Standing Order 52 motion that will force the very same hardworking public servants upon whom the metro's opening depends, and upon whom all of the commuters that the Opposition was so concerned about depend, to stop what they are doing so that they can complete a preposterous and ridiculous fishing expedition. This motion seeks all documents, messages, drafts and presentations related to the opening, proposed opening and postponement of the Metro City and Southwest from Chatswood to Sydenham. But not just that—the documents are sought across five ministries, across nine departments and agencies, to external regulators and trade unions, including everything received by relevant Ministers, secretaries and delegated individuals.

Do not worry about the senior Fire and Rescue personnel who are working to ensure public safety! They should pull up stumps and comply with the orders of those opposite. Do not worry about all the agency personnel working night and day to make sure the metro opens for business as soon and as safely as possible! They should stop what they are doing, comply with the order, down tools and print thousands of documents. It is to be provided within seven days. The Government has moved an amendment to increase the time frame to 14 days but, as the Minister foreshadowed, that is a difficult ask even then. It brings an important transparency mechanism of this House—Standing Order 52—into utter disrepute.

The Opposition is looking for a smoking gun, but all it will get is an exploding cigar. This motion is outlandish in its form and in its substance. We know what this order will yield. When it was announced on 7 July, it was appropriate to target 4 August as an opening date for the metro. The Government acted responsibly and reasonably in deferring the opening—end of story, open and shut. If we want a reason for major projects getting delayed, it is opportunistic and damaging stunts like this.

**The Hon. NATALIE WARD (15:35):** In reply: This is just so fascinating. I recommend the *Hansard* from when current Government members were in opposition, some of whom have made a bold change. The fact is that the Coalition built the metro: It planned it, funded it and built it. All the Government had to do was open it. It was not that hard. Those bold and fabulous public servants who are going to have to spend hours and hours, apparently, sifting through millions of documents, apparently, would not have to do so if the transport Minister got off her sun bed, got back to Sydney and opened the metro. But here we are today because that has not happened. The transparency and accountability that Labor was so on about—and, in fact, promised at the election—is apparently now gone, so much so that the transport Minister is walking the halls talking upper House members out of transparency and accountability, rather than focusing on delivering the metro.

The request being for seven days is because this is a current issue. We need to know what happened. It is something the public needs to know right now. What happened? Who knew what and when? This is transparency and accountability. If I had asked for a 14-day turnaround, the Government would have come back and said it

needed 21 days. If I had said 21 days, it would have said 28. Whatever we had asked for, the Government would have said that there are thousands of documents. There are not thousands of documents—we all know that—and ephemeral messages are short messages. In response to the Government, I say that is all that is. It is very clear that there is a lot to hide here. The Government is so strongly opposed to this motion and to transparency because there is something to see. Clearly, there is something to see, because one day we have safety issues and the next we have a target date. The other day we had someone else as acting and someone else did not know. No-one said anything to anyone, and here we are.

The fact is, commuters cannot get on a metro that we funded, planned and built. All the Government had to do was open the doors and let them on. It is delightful to see that we are still getting brochures saying Sydney Metro will be open in August. I hope that brochure does not have to be shredded as well. We commend the motion to the House because we want to know what happened. It is the right of this House and, more importantly than any of us, the people of New South Wales to know exactly what happened. It is also curious to say that these public servants will be dragged off operational public services. I am not sure that the people doing the safety tests are the same people who are sitting there doing a "find and search" on their inboxes for "opening" and "postponement".

It is not that difficult or complex, and for Government members to say that it is an overwhelming, terrible and outrageous motion beggars belief. Josh Murray is advising his Labor mates and the Government how difficult the Standing Order 52 motions are: "What a terrible thing. You do not have transparency." I am not even going to respond to that. My views on Josh Murray and operational matters are well known. This is not overwhelming; it is not difficult. The Government should get on and follow what it said in the election: transparency and accountability. [*Time expired.*]

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

**The House divided.**

Ayes .....21  
Noes .....15  
Majority.....6

**AYES**

Banasiak  
Borsak  
Boyd  
Buttigieg  
Cohn  
D'Adam  
Donnelly

Faehrmann  
Graham  
Higginson  
Houssos  
Jackson  
Kaine  
Lawrence

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

**NOES**

Carter  
Fang (teller)  
Farlow  
Farraway  
Hurst

MacDonald  
MacLaren-Jones  
Martin  
Merton  
Mitchell

Munro  
Rath (teller)  
Roberts  
Tudehope  
Ward

**PAIRS**

Mookhey

Taylor

**Amendment agreed to.**

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

**Leave granted.**

**The House divided.**

Ayes .....20  
Noes .....16

Majority.....4

AYES

Boyd  
Carter  
Cohn  
Faehrmann  
Fang (teller)  
Farlow  
Farraway

Higginson  
Hurst  
MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mitchell

Munro  
Rath (teller)  
Roberts  
Ruddick  
Tudehope  
Ward

NOES

Banasiak  
Borsak  
Buttigieg  
D'Adam  
Donnelly  
Graham

Houssos  
Jackson  
Kaine  
Lawrence  
Moriarty

Murphy (teller)  
Nanva (teller)  
Primrose  
Sharpe  
Suvaal

PAIRS

Taylor

Mookhey

**Motion as amended agreed to.**

*Bills*

**TRANSPORT ADMINISTRATION AMENDMENT BILL 2024**

**First Reading**

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

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

**Statement of public interest tabled.**

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

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

**Motion agreed to.**

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

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

**Motion agreed to.**

*Motions*

**INTEROPERABILITY PROGRAM**

**The Hon. MARK BANASIAK (15:51):** I move:

(1) That this House notes that:

- (a) on 12 May 2022, the Electronic Conveyancing (Adoption of National Law) Amendment Bill 2022 was passed after Portfolio Committee No. 4 - Regional NSW finalised its report into the bill;
- (b) as part of the committee process and passing of the bill, the Registrar General committed, in writing, to report to the House on the security and progress with interoperability;
- (c) on 9 June 2024, responsible Ministers met to review the progress and make decisions about the future of interoperability in eConveyancing, which was chaired by the Registrar General;
- (d) on 20 June 2024, the Registrar General's first report was tabled in Parliament;
- (e) on 26 June 2024, a joint statement of Ministers was released which stated "Financial services aspects of the Interoperability Program are beyond the remit of State and Territories to resolve"; and

- (f) on 26 June 2024, the Registrar General advised the industry that government project teams were being stood down and the program of development workshops and governance frameworks had been terminated.
- (2) That this House further notes that the report tabled on 20 June 2024 is in stark contradiction to the joint statement and advice provided to industry six days after the report was tabled.
- (3) That this House notes with concern that the Registrar General knowingly provided a potentially misleading report to Parliament.
- (4) That this House calls on the Government to seek an explanation from the Registrar General for these contradictions and report the response back to the House within 21 days of the passing of this resolution.

I move this motion for debate not because I have an obsession with the metaverse, like the former Minister who passed the Electronic Conveyancing (Adoption of National Law) Amendment Bill in 2022, but because I am obsessed with transparency. Members of that past Parliament would recall that Portfolio Committee No. 4 held an inquiry into the bill. I chaired that inquiry. The committee received evidence from all sides about concerns with and the often very technical details of establishing multiple electronic lodgement network operators [ELNOs] in a digital conveyancing system. This included testimony from the Registrar General.

I will outline some of those technical details, but it is not the crux of the motion. What matters to me, and to the Shooters, Fishers and Farmers Party, is that the integrity of this House and its various committees is upheld. I am not alone in that view. One significant way that the integrity of this House can be besmirched is for the House to be misled. It is a pet peeve of mine from my past life before taking on this role. Owning up to mistakes or errors is far less painful in the long run than trying to gloss over them. That is the crux of the motion. In her contribution to the debate on the bill, Ms Abigail Boyd rightly pointed out that the Registrar General was willing to provide the House with periodic reports on the process of moving towards a multi-ELNO system.

On 20 June this year the *Interoperability between Electronic Lodgment Network Operators: Second Progress Report to NSW Parliament* was tabled. At 1.1 of the report, the Registrar General stated, "the interoperability program has achieved some significant milestones". The only hint of any trouble with the program is at page 2, where it is stated:

Some stakeholders have raised concerns about the scope of interoperability, and the ability of the reform to achieve the goal of equivalent experience.

Yet 11 days prior to this report there was a joint meeting between the responsible Ministers on this matter, chaired by the Registrar General. I submit there can be no confusion on the part of the Registrar General as to what was discussed at that meeting and that those discussions should have been reflected in the report. They were not. Six days after the report was tabled, a joint statement was issued that "Financial services aspects of the Interoperability Program are beyond the remit of State and Territories to resolve." In simple terms, the project had hit an impasse.

On the same day, the Registrar General informed the industry that the Australian Registrars National Electronic Conveyancing Council project team for interoperability had been stood down, and invitations to the suite of ARNECC and industry design, testing and governance workshops were terminated. That sounds like more than a hint of trouble and, clearly, something known to the Registrar General when her report was tabled. There are stark contradictions between what is contained in the report and what was advised to or observed by industry participants. On page 5 of the report it is stated that the day one transactions, being the prototype tests on 12 September 2023, were successful:

The Day 1 transactions demonstrated that the technical solution developed by ELNOs can deliver on its objective – enabling electronic lodgement networks to interoperate in order to complete an electronic conveyancing transaction.

The truth is there is no written evaluation of the day one outcomes. In fact, the experience demonstrated to participants that the "technical solution" would actually degrade the users' experience and reduce the efficiency of home lending. Day one testing crystallised deep concerns among the banking industry participants.

On page 5 it is also stated that ARNECC settled a timetable for interoperability that was welcomed by Ministers on 9 November 2023. The truth, observed by industry participants, is that at the November 2023 meeting key industry stakeholders advised that eConveyancing was headed for serious disruption unless there were changes in direction. The timetable for the release of full functionality—which was December 2025—was adopted without any credible analysis and was completely unrealistic. On page 5 it is reported that "ARNECC has approved key guiding principles for interoperability". The truth observed by the industry participants is that the principles contain inherent contradictions and could never be realised.

Page 9 of the report affirms there is "fit-for-purpose governance". The truth observed by industry participants is that the ARNECC risk assessment has not been updated since at least 2022. The scope of work to uplift New South Wales to data standards that would allow interoperability has not been undertaken, and the work was not scheduled by the registrars for a date which would have enabled New South Wales to go live on 1 July 2025. In fact, New South Wales is eight versions behind. Key program dependencies, such as the uplift to the

New South Wales registry, have not been maintained in accordance with normal program disciplines. Program governance has been manifestly inadequate, with no business plan and a series of uninspected and unilateral scope expansions, plus multiple blowouts in milestone dates and costs.

I submit that the program has been misconceived as an IT project, rather than a government-imposed industry transformation. The industry is saying that there has been no planning or engagement with those businesses that would have been involuntarily disrupted. I am aware that there will be proposed amendments to this motion. I indicate that I support the Government's amendments and some of Ms Abigail Boyd's amendments.

**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) (15:57):** The Government supports competition and interoperability between electronic lodgement network operators. I flag that I will move Government amendments. I welcome the fact that the Hon. Mark Banasiak is bringing his concerns to the Chamber, and he is entitled to do so. I am representing the Minister, so I will place some things on record. This is a national reform by the Australian Registrars National Electronic Conveyancing Council [ARNECC]—the national council of registrars of title. The New South Wales Registrar General's report to the Parliament in June noted that some stakeholders have raised concerns about the scope of interoperability. I am advised that the banking sector, in particular, have raised concerns with the current scope in governance of the project, which they say will compromise its success unless resolved. Given the concerns, there is a role for the Commonwealth and its regulators.

The distinction is that the States and Territories regulate conveyancing matters, whereas financial settlement is regulated at the Commonwealth level. The Government intends to work through these concerns with stakeholders and the Commonwealth. I am advised that the Registrar General's report does not reflect the joint statement and advice provided to industry stakeholders. States and Territories are at different points in the transition. Following the ministerial forum held in early June, consultation continued between jurisdictions to settle next steps for the interoperability reform project. I am further advised that this consultation was still underway at the time the report was due to be lodged. As well as reporting on progress to date, the report did note that there were issues to resolve to progress the reform. I place one quote on the record:

Some stakeholders have raised concerns about the scope of interoperability, and the ability of the reform to achieve the goal of equivalent experience.

One stakeholder also raised concerns regarding potential infringement of their intellectual property in relation to achieving equivalent experience. The program continues to work with stakeholders on these issues. I am advised that the final position expressed in the ministerial statement had not been settled at the time the report was tabled. The Government is more than happy to support this call for the Registrar General to report back to Parliament. That is appropriate given the member's concerns. As foreshadowed, I move:

That the question be amended as follows:

- (1) In paragraph (1) (d) omit "first report" and insert instead "second report".
- (2) Omit paragraph (2) and insert instead:
  - (2) That this House further notes that the report tabled on 20 June 2024 does not reflect the joint statement and advice provided to industry six days later.
- (3) Omit paragraph (3).
- (4) In paragraph (4) (d) omit "for these contradictions".

**The Hon. JACQUI MUNRO (16:00):** I thank the Hon. Mark Banasiak for moving this very important motion. The Opposition supports the Government's amendment. This is about the New South Wales taxpayer getting a better deal on conveyancing. In 2022, when the Coalition was in government, two key pieces of legislation were introduced that have led to commitments to embed interoperability and encourage competition in a market that has been all but monopolised by PEXA because of the individual processing system it utilises. Australians have a chance to save \$20 million annually on conveyancing fees, including savings for small business owners. According to Sympli, PEXA's primary competitor since 2019, over 50,000 first home buyers each year are being prevented from accessing the benefits of real market competition.

The Coalition's legislation followed the Productivity and Equality Commission's clear recommendation in 2021 to support the implementation of interoperability in the New South Wales e-conveyancing market as a matter of urgency. We did so. The next step after introducing e-conveyancing is to ensure that interoperability exists. That has been promised, but it is unclear under Labor if it will ever be delivered. It is no surprise that the legislative scope of financial settlement, for example, is a Federal responsibility, just like the State has responsibility for conveyancing. Even Federal Labor Minister Andrew Leigh has urged States and Territories to apply pressure to PEXA for dragging its feet on reform.

There is a question about who is responsible for the delay. So far we have not heard anything from the New South Wales Minister for Customer Service and Digital Government, Minister Dib. He has failed to allay concerns that the rollout is happening too slowly and that interoperability will not be functional by July 2025 or fully functional by December 2025. There are conflicting reports by the New South Wales Productivity and Equality Commission, the New South Wales Registrar General and the Australian Registrars' National Electronic Conveyancing Council [ARNECC], which is very concerning.

It is good to see that the Government wants to get to the bottom of this, but it is honestly too late. Will Minister Dib use the powers he has been given under legislation to ensure that the parties involved act in good faith and meet the regulated dates? Will he demand commitments from market players that they will adhere to those mandated dates? We live in a world where I can transfer currency from a bank in Australia almost instantaneously across the world and use it as cash in a different country and currency. It cannot be true that we cannot properly standardise a digital conveyancing system in Australia, with the tools we have. The Australian Competition and Consumer Commission needs to be involved. ARNECC needs to be properly funded, and the Minister must come clean about where NSW Labor is on this matter.

**Ms ABIGAIL BOYD (16:03):** I thank the Hon. Mark Banasiak for bringing this issue to the House again. It was a complicated and vexed issue in the last term of Parliament and the committee process. Any members who recall how enthusiastic I was about the reforms in the last term of Parliament might remember that I have a history working in interoperability in financial systems, so I have been following this incredibly closely to make sure that it is done correctly. The legislation we put in place was designed to ensure that the monopoly player in this market, PEXA, could not avoid being brought to the table for the regulations to succeed. It is concerning that—whether PEXA on its own is to blame, or the Commonwealth Bank, which happens to own over 25 per cent of PEXA—there is now an obstacle to interoperability.

It is clear that the Productivity and Equality Commission in New South Wales would like the Australian Competition and Consumer Commission to be involved. It is also clear that the States and Territories do not believe they have the power to overcome this hurdle and need the Federal Government to step in. It is important that we allow competition in this space. It is important for bringing down the fees in conveyancing, which in turn impact on people buying and selling their homes in what is an incredibly difficult market. I understand that PEXA is only doing what it is intended to do under corporate law, which is to make a profit. I understand why it wants to protect its monopoly. But I am sure PEXA knows that the longer this is delayed, the more chance there is of the only currently viable competitor in this space—Sympli, a New South Wales business—being put out of business. We need urgent action. I encourage the Government to act far more urgently, with the benefit of having a Labor Minister responsible at the Federal level as well.

I move:

That the question be amended as follows:

- (1) Insert after paragraph (1) (b) the following new paragraph:
  - (c) in June 2023, the New South Wales Registrar General's first progress report was tabled in Parliament;
- (2) Omit paragraph (1) (c) and insert instead:
  - (c) on 11 June 2024, responsible Ministers met to review the progress of the eConveyancing reforms to support a sustainable, competitive market structure for eConveyancing, including in relation to interoperability in eConveyancing;
- (3) Insert after paragraph (1) (c) the following new paragraph:
  - (d) following the 11 June 2024 Ministerial Forum, the Australian Registrars' National Electronic Conveyancing Council [ARNECC] decided to pause the interoperability program and seek Federal support given issues being raised by the banking sector that was out of ARNECC's remit;
- (4) In paragraph (1) (d) omit "the Registrar General's first report was tabled in Parliament" and insert instead "the New South Wales Registrar General's second progress report was tabled in Parliament,".
- (5) In paragraph (1) (f) omit "the Registrar General" and insert instead "ARNECC".
- (6) Insert after paragraph (1) (f) the following new paragraph:
  - (g) on 1 July 2024, the NSW Productivity and Equality Commission released its e-conveyancing market study which found that there were several challenges facing interoperability, including material barriers to entry for new payers in e-conveyancing, and stating that the Australian Competition and Consumer Commission [ACCC] would be best placed to lead the ongoing market oversight and monitoring of the e-conveyancing market in Australia.
- (7) In paragraph (2) omit "is in stark contradiction to" and insert instead "does not reflect".
- (8) In paragraph (3) omit "the Registrar General knowingly provided a potentially misleading report to Parliament." and insert instead "the eConveyancing interoperability reforms are being delayed due to a lack of enthusiasm from PEXA and the



major banks, one of which (the Commonwealth Bank) holds over 25 per cent of the voting shares in PEXA, to facilitate those reforms."

- (9) In paragraph (4) omit "seek an explanation from the Registrar General for these contradictions and report the response back to the House within 21 days of the passing of this resolution." and insert instead "work with the Federal Government to act urgently to end the ingrained PEXA monopoly in eConveyancing and to do everything within its powers to deliver competition in the eConveyancing market as was intended by the Electronic Conveyancing (Adoption of National Law) Amendment Bill 2022 in order to reduce conveyancing costs for home buyers."

The effect of the amendment is to set the record straight regarding some of the facts in the first part of the motion and to acknowledge the need for the Federal Government to get involved. I flag that I intend to have the question on paragraphs (7), (8) and (9) put in seriatim from the other paragraphs of the amendment. I just wanted to say "in seriatim"!

**The PRESIDENT:** You might like to say it, Ms Boyd, but I would like to know what it means. I say that in jest.

**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) (16:08):** I speak to the amendments for a second time in the debate. Firstly, the Government supports paragraphs (1) to (6) of Ms Abigail Boyd's amendment. We oppose paragraphs (7), (8) and (9). Essentially, the distinction is that we are happy to incorporate factual matters into the resolution. I think that is helpful for the House, but we will not go beyond that. That is the distinction we draw. It may be helpful for the House to consider that amendment first, before the Government amendment. I indicate that paragraph (1) of my amendment would be contradictory to Ms Abigail Boyd's amendment. While the Government will seek support for the rest of the amendment, I seek leave to withdraw paragraph (1).

**Leave granted.**

**Paragraph (1) of the amendment of the Hon. John Graham withdrawn.**

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Mark Banasiak has moved a motion, to which Ms Abigail Boyd and the Hon. John Graham have moved amendments. I will put the question on paragraphs (1) to (6) of the amendment of Ms Abigail Boyd together, then on paragraphs (7) to (9) of the amendment of Ms Abigail Boyd, then on paragraphs (2) to (4) of the amendment of the Hon. John Graham. The question is that paragraphs (1) to (6) of the amendment of Ms Abigail Boyd be agreed to.

**Paragraphs (1) to (6) of the amendment of Ms Abigail Boyd agreed to.**

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The question is that paragraphs (7) to (9) of the amendment of Ms Abigail Boyd be agreed to.

**Paragraphs (7) to (9) of the amendment of Ms Abigail Boyd negatived.**

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The question is that paragraphs (2) to (4) of the amendment of the Hon. John Graham be agreed to.

**Paragraphs (2) to (4) of the amendment of the Hon. John Graham agreed to.**

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

**Motion as amended agreed to.**

## ANIMAL WELFARE

**The Hon. EMMA HURST (16:11):** I move:

- (1) That this House notes that:
  - (a) animal protection is a matter of significant concern to people in New South Wales, from puppy farms to battery cages to koalas, and the community wants to ensure our laws are designed to ensure animals are protected;
  - (b) animal cruelty laws in New South Wales are outdated and in need of reform to meet modern science and community expectations; and
  - (c) New South Wales has the exciting opportunity to become the first State in the country to set up an independent office of animal protection, making us a national leader in this space.
- (2) That this House calls on the Government to establish an independent office for animal protection as a matter of priority.

Members have heard me talk ad nauseum about animal protection laws and how they are failing in New South Wales. The Prevention of Cruelty to Animals Act 1979 is shockingly outdated. It does not meet community expectations and does not reflect modern science on animal protection. Our laws that are meant to protect animals

from cruelty allow for systemic, legalised animal cruelty to occur in New South Wales every single day. That includes hens being forced to live in barren battery cages, calves being choked and strangled at rodeos for the sick entertainment of a few thoughtless individuals, and lambs in the wool industry having large chunks of flesh cut off without any pain relief in a process called live lamb cutting—just to name a few.

On top of those outdated laws, we continue to rely on a system where private charities enforce criminal laws on animal cruelty without guaranteed funding. The system is well and truly broken. There is an inherent conflict of interest within the Agriculture portfolio and, more specifically, within the Department of Primary Industries [DPI]. That department was set up to protect and promote the interests of industries that use animals for profit, and yet it also has carriage and control of animal protection laws. It is an absolutely hopeless conflict of interest and, invariably, animals are the ones who lose.

I will give just one example of that conflict. A few years ago the DPI was placed in charge of the development of national poultry standards. The DPI was revealed to be colluding with the poultry industry to avoid the phase-out of battery cages, including by excluding animal welfare groups from key meetings and incorrectly and selectively citing scientific evidence in its reports. That led to the DPI being referred to ICAC and the Victorian Government commissioning its own scientific review into battery cages because it did not trust the work of the New South Wales DPI. That is just one example of how the conflicts of interest inherent within the DPI have hindered progress on animal welfare measures, and I could name many more.

Advocates have long been calling for an independent office for animal protection, and it presents an exciting opportunity for New South Wales to be a leader in animal protection and be the first State in Australia to introduce an independent office. It is important to get the independent office up and running as soon as possible so that it can advise the Government and the Minister on what further animal protection reforms are needed in New South Wales and how they should be enacted. There are some major animal protection reforms coming in New South Wales. We need to ensure that they are informed by genuinely independent, robust advice from the independent office on the best way to achieve and implement the reforms to ensure the best outcomes for animals. It is vital that we ensure that the independent office is properly funded and given robust powers to oversee the enforcement of animal cruelty laws.

It goes without saying that the office must be genuinely independent and free from any conflict of interest or influence by animal agribusiness or other animal-use industries. My understanding is that work on that has already started. Of course we are glad to hear that, but we are also eager to ensure that the office is set up in a way that ensures that it functions as intended. I indicate that we are keen to continue to work closely with the Minister and the Government to develop the independent office and ensure its timely rollout. It will be a very significant reform. While it has to be done right, there is also a real urgency to it given the number of lives that will be impacted. I hope to see legislation in this space well before the end of the year.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (16:15):** Despite some of the comments from the mover, the Government will not oppose the motion. The Government is committed to delivering strong animal welfare outcomes and is taking steps to improve the animal welfare framework in New South Wales. The Government took to the election a range of commitments to update the animal welfare framework. Those election commitments included reviewing the Prevention of Cruelty to Animals Act 1979, including a review of the consultation conducted to date to determine the animal welfare framework to be legislated. The Government took that to the election and will get on with the job of implementation. I have said many times that I am conscious that before my time as Minister and before our Government was elected, significant consultation from every perspective had already taken place. I do not plan to rehash all of that, but the Government has made a commitment to reviewing the Act and the work is underway.

The Government has also committed to introducing legislation to ban puppy farms in New South Wales. That legislation will draw upon the recommendations from the 2022 *Puppy Farming in New South Wales* report, which is another example of the work that has been done well before now. The Government is committed to drawing upon that work; it is doing so and will continue to do so. It will introduce a fit and proper person regime, and a bill to that end passed this House last night. The Government also took the commitment to create a new independent office for animal welfare to the election. That work is underway, including consultation with the Commonwealth to ensure that the New South Wales office will complement existing work.

This Government has already demonstrated that it is making progress on its animal welfare commitments. In June it introduced the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024, which passed this House yesterday. The Government worked with members from across the Chamber and supported amendments. The Government has no problem working in consultation with stakeholders in this space, who are very active and interested. That is very appropriate.

I note that there are a broad range of stakeholder views on how the independent office should be set up and what it should look like. We are working through those views to ensure that the proposed office is fit for purpose. A broad range of stakeholders are interested in this space, and we will engage appropriately across the board to make sure that the office is what the Government committed that it would be. There is no independent office of that nature in any other State or Territory, but the Government commits to continue to engage with stakeholders on its structure and set-up.

**Ms ABIGAIL BOYD (16:18):** On behalf of The Greens, and as spokesperson for animal welfare, I indicate our support for the motion and thank the mover for bringing it. The motion outlines exactly why an independent office of animal welfare is so urgently needed. From greyhound racing cruelty to illegal knackereries, mass kitten and puppy farms to horrific piggery conditions, animals in our State continue to be neglected, abused, exploited and killed every day with no direct oversight or accountability in the name of profit. Our animal welfare framework and laws are decades out of date and do not align with community expectations or modern scientific knowledge. The interests of animals continue to be constantly overlooked and pushed aside in the name of profit. It is clear that there is strong agreement across the Chamber that New South Wales needs an independent statutory body that oversees animal welfare and protection in our State. It has been advocated for by the community, animal welfare advocates and industry professionals for years, and it was a key election commitment by Labor, so what is holding the Government back from getting on with it?

In 2020 the Select Committee on Animal Cruelty Laws in New South Wales, which included members of The Greens, the Animal Justice Party and Labor, concluded that the Department of Primary Industries has an inherent conflict of interest between supporting agricultural industries while also being responsible for animal welfare and protection. The committee recommended the Government establish an independent statutory body to oversee the animal welfare framework and the enforcement of animal cruelty laws. Doing so would ultimately remove the conflict of interest and ensure that all animals are accounted for independently of the agricultural industries that exist to exploit them. Every day, in the absence of independent animal oversight that extends across all industries and departments, greyhounds are being swept off the racing industry's books or sent overseas to die, chickens are kept confined in sheds without ever feeling sunlight or smelling fresh air, sheep in the wool industry are subjected to cruel practices like mulesing, countless dogs and cats are euthanised in overflowing pounds and so many more animals are suffering.

Every day that we delay this vital reform is another day that animals across our State suffer without proper oversight and protection, which is why we must ensure that we get it right. Establishing an independent office of animal welfare has been core Greens business for over a decade. I have introduced my bill, the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023, to Parliament. I implore the Government, having not brought its own bill in a timely manner, to support The Greens' bill when we bring it for debate next week. As the motion before us today states, New South Wales has the exciting opportunity to lead the way by being the first jurisdiction in Australia to establish an independent office of animal welfare and protection. We can finally ensure that our animal welfare framework, laws and policies are robust and balanced and put the interests of animals front and centre. The New South Wales Government must finally step up and get on with supporting an independent office of animal welfare.

**The Hon. SARAH MITCHELL (16:21):** On behalf of the Opposition, I am pleased to contribute to debate on the motion moved by the Hon. Emma Hurst and indicate that we will not be supporting it. I would like to put a few things on the record. Firstly, we absolutely agree that animal welfare is an important issue and we know that it is a matter of significant concern to the people of New South Wales. I do not want the member to ever think that that is not the case. I appreciate and respect her role as the elected member representing the Animal Justice Party and I commend her for how well she sticks up for those who have supported her to be here. I am also sympathetic to what she says about the Government delaying its election commitment. We see that across a range of portfolios, so I certainly understand the sentiment and why the member has moved this motion.

As I said, the Opposition acknowledges that animal welfare is an important issue. We are passionate about it and what it means, especially in our regional communities. A lot of our farmers deal with animals day in and day out. They are on the front line of caring for, raising and working with animals every day. Where we differ from the member and from the Government is how we view the current regime of laws and the best way to move forward. Our concern is that the motion notes that animal cruelty laws are out of date but, as the Minister said, we were in this Chamber just yesterday making amendments to the Prevention of Cruelty to Animals Act [POCTAA] to address issues that have been raised by stakeholders and the broader community. I know that Dugald Saunders, when he was the Minister for Agriculture in the previous Government, kicked off a lot of the most recent reforms.

The Opposition supports approved charitable organisations [ACOs] to act as enforcement bodies for animal welfare. We gave them record funding when we were in government, but our concern is that creating a new entity or organisation would add to the bureaucracy and red tape and undermine the important achievements of those

ACOs that partner with government. No Act is ever perfect. It is a good thing that this Parliament has the Animal Welfare Committee, which is chaired by the member. I acknowledge committee member the Hon. Wes Fang and the important work the committee does in inquiring into the operation of the Prevention of Cruelty to Animals Act.

Last night the Opposition supported the Government's changes to POCTAA that ensure transparency and support for ACOs. Opposition members also supported changes to the fit and proper persons regime, including the amendments that were moved by the Hon. Emma Hurst, as we believe it is important to fix gaps where appropriate and achieve good commonsense outcomes for animal welfare in New South Wales. We are happy to work across the aisle on the issue to ensure better outcomes for animal welfare in this State but we cannot support this motion today.

**The Hon. EMILY SUVAAL (16:24):** The Government opposes the motion for the reasons that the Minister outlined. I acknowledge the ongoing contribution that the Hon. Emma Hurst makes in this space and her ongoing advocacy for animal welfare more generally. The Government has committed to a number of measures to improve and bring up to date the Prevention of Cruelty to Animals Act 1979 [POCTAA] and a number of them are well progressed and underway. We were here last night passing one part of that.

The Government has committed to many other reforms. As the Minister and the Hon. Sarah Mitchell alluded to, there are a number of stakeholders within this space that should be consulted with. There are mixed views within the community about an independent office for animal welfare. It is important to get any legislation right. As we know, and as the Hon. Sarah Mitchell said, no Act is perfect. But where we can, we should get things as robust as possible, and that involves consulting with a wide range of stakeholders. We need to consider a whole range of community views. That includes engagement with the Commonwealth Inspector General of Animal Welfare and Live Animal Exports to ensure there is no duplication. We need to ensure that an independent office will add value to the animal welfare framework. There is no point in setting up another independent office and agency if it does not add value, so it is important to get things right, have the right amount of consideration and ensure that a wide range of views are included in the Act.

The POCTAA amendment was considered last night and I commend honourable members in this place for making sure that the bill was passed. The bill makes a range of changes that strengthen the animal welfare framework, which is an important step in ensuring that animal welfare in this State is given the attention that it needs and deserves, and that it has not had for some time. The community expects high standards of animal welfare and the Government shares that expectation. Developing an independent office in line with our commitment will contribute to delivering that outcome.

**The Hon. EMMA HURST (16:27):** In reply: I thank Minister Moriarty and all the other speakers for their contributions to debate on the motion. I recognise, as the Minister has stated, that work in the animal protection space has started since she has been the Minister. It is certainly not the Minister's fault that she inherited a quite outdated portfolio and outdated legislation. It has been ignored, essentially, since 1979, with very minimal changes made in that time. When the Hon. Mick Veitch was in this place, he and I were often complaining about the outdated legislation and the desperate need for a review and updates to the legislation.

I recognise that there is a huge amount of work to be done, and it falls on the Minister to do that work. We have already seen how much this portfolio pulls the Minister in two extremely different directions. Animal welfare organisations are often pushing one way and industry another. It is that conflict that I highlight. That is why it is important to have an independent office. I appreciate that it is one of Labor's election commitments. It will allow the Minister to get both sides, which is vital.

I thank Ms Abigail Boyd for her, as always, sensible contribution. I also thank the Hon. Sarah Mitchell. There was support across the House last night on legislation, but this is tinkering around the edges. There is much more work to be done in this space. We are talking about puppy farm legislation. We are talking about the independent office. An entire review of the Act and the regulations is needed. It will need much more than that. I do not know if I misheard the Hon. Emily Suvaal, but I assume she will not cross the floor against her Minister. I thank her for her words as well. I call on all members to support the motion.

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

**Motion agreed to.**

#### **CONSTRUCTION, FORESTRY AND MARITIME EMPLOYEES UNION**

**The Hon. DAMIEN TUDEHOPE (16:31):** I move:

That this House calls on the Government to establish a royal commission into the activities of the Construction, Forestry and Maritime Employees Union, Construction and General Division, NSW Divisional Branch.

Earlier today the Leader of the Government espoused the virtues of what the Government has done in response to revelations made by the Nine media group about the activity of the CFMEU in Victoria. The member articulated a number of steps that the Government has taken, including no longer accepting affiliation fees or donations and referring the CFMEU to the industrial relations commissioner to seek orders for the appointment of an administrator. All of that was articulated as "virtuous".

Government members say that they are proactive in ensuring that they take their responsibilities towards fighting corruption seriously, but that could not be further from the truth. This Government does not take the issue seriously. If it did, it could do a number of things with respect to its relationship with the CFMEU, including potentially giving up or donating to charity those affiliation fees and donations it has received from the CFMEU. That would be good. That would be an indication that the Government was committed to sending a message that it will not be involved with union activity that is associated with corruption.

The second thing the Government could do is call a royal commission into the CFMEU and its activities. This Government espouses the benefits of delivering cheaper housing and construction projects for the people of New South Wales. The Government says that is committed to good outcomes, cheaper housing and getting young first home buyers into housing as quickly as possible. If the Government is adding 20 per cent to the cost because of deals with the CFMEU, that is just hot air and words. Those opposite come into the Chamber and say, "We are a virtuous government that is dealing with corruption in a way that is responsible for a government faced with these kinds of allegations." But they are just words.

What can the Government do? The appointment of an administrator will look at how to clean up the current management of the union to make sure that those who may have criminal connections hold no responsibility. It will not look at the past activities of the union to establish whether any of those past activities were corrupt activities that should be referred to other authorities. There is only one way to do that—that is, the establishment of a royal commission with powers to investigate, call witnesses and compel the production of documents and the like. That would be an indication that those opposite are actually committed to stamping out this sort of practice, but that is the last thing they want to do.

When Labor came to power federally, the first thing it did was get rid of the Australian Building and Construction Commission, because that organisation is charged with looking at this kind of behaviour. In New South Wales, Labor is starting to dismantle the Construction Compliance Unit. Ongoing from the previous Government is the review of the guidelines in respect of how the unit would operate its powers and the manner in which it is staffed. The first thing the Minister did when she came to power was start to dismantle and get rid of the review of those guidelines because the Government does not want anyone looking at its mates. Its mates are sacrosanct. They come first. The people of New South Wales come second. That is the only thing that those opposite understand. That is the virtue signalling that those opposite should be talking about, because that is what they should be known for. This Government is on the nose. If the Government does not do this, it is an indication of a stench that underpins every single deal that it does, because it is not prepared to have an investigation into the past practices of its relationships with its union mates, especially its construction industry union mates.

**The Hon. DANIEL MOOKHEY (Treasurer) (16:36):** The Government opposes the motion. The Government has made it absolutely clear that there is no tolerance for criminal or corrupt behaviour in businesses, in the public service, in unions or in the construction industry at large. It is fair to say that the allegations about the conduct of the CFMEU Construction and General Division are deeply concerning. That includes both the allegations that have emerged from Victoria and, equally, the information that has arisen about New South Wales.

The Government has already taken the strongest possible actions, including making an application to the NSW Industrial Court to put the CFMEU Construction and General Division into administration; announcing that it will be introducing legislation to establish an administrator to remove any doubt about the validity and speed of the appointment of an administrator; referring all allegations the Government has received about inappropriate behaviour on New South Wales construction sites to the Government's Construction Compliance Unit; and establishing a process in which any allegations about any Federal enterprise bargaining agreements that have been entered into that require further investigation are brought to the attention of the Fair Work Ombudsman, because it has the legislative power to examine such matters.

A royal commission would be unnecessary and superfluous when the New South Wales and Federal governments are already taking decisive action to address the allegations. I take the opportunity to remind the Hon. Damien Tudehope that a royal commission into trade union governance and corruption was called in 2014-15. It was led by Justice Dyson Heydon, who, as it turns out, also needed to be investigated. I make the point that the trade union royal commission heard and spent a lot of its time looking into former Prime Minister Julia Gillard's building renovations from 20 years prior. I also gave hours of evidence about printing bills for a commission that was called into corruption. That particular exercise cost about \$100 million. Equally, I point to

the Cole royal commission in the decade that preceded it, which also cost about the same. All of that is my way of saying that the strategies the member advocates for have been tried.

I also point out that, when the allegations with respect to New South Wales first arose, the mover of the motion was the industrial relations Minister. It is fair to say that at no point was any action taken in that respect. We are putting the union into administration not to defeat the principles of trade unionism or to bash unions, but to treat it fairly under the law. I say this as a Labor politician who believes firmly in the value of trade unions: Corruption-free trade unions are an obvious prerequisite to the public support we wish to engender for trade unionism. The actions we are taking are designed to get a result quickly. [*Time expired.*]

**The Hon. MARK LATHAM (16:39):** I oppose the motion. I am against royal commissions on principle because they are a lawyers' picnic. It is no coincidence that a lawyer is moving a motion to waste a huge amount of money on those extensive processes. It is true that Dyson Heydon did not get very far with the charter he was given by the Abbott Government, but we noted the evidence and the circumstances of the Hon. Daniel Mookhey and others at the time. The Gillard house renovation business was farcical. I copped a lot of flak by telling people, "We knew back in the day that she wasn't involved in this kind of thing." They did not really believe me, but that is the nature of politics, and on it goes.

People in the labour movement have pretty well known the truth about the CFMEU for a long time. I remember going to a horse sale about 12 or 13 years ago and every second weanling was being purchased by an official of the CFMEU, some of whom I used to pick up glasses with at the Green Valley Hotel. I knew them, they knew me, and I rather suspect I knew what they were up to. That sort of thing—which I suppose was money laundering through associations with some unsavoury characters—has been around for a long while. The Labor Party continued to take the donations, take the union delegates, take the affiliation fees and take the numbers at the conference—and elect the odd renegade to this august place, of course—and it was business as usual.

The truth is that if the Government wanted to clean out the CFMEU, it should have done so a long time ago. The John Setka cancer inside the system was obvious to all, so I do not think we need a royal commission. I think the Opposition is playing politics with this, but the Government needs to be honest and say that it knew of the problem a long time ago. I remember the Hon. John Graham and I were in a hotel, quietly minding our own business and having a beer at the end of the nuclear inquiry in Adelaide, and some heavies came up. I saved John's future ministerial career by scaring them off. We did not have to have fisticuffs. I am a bit like Arthur Fonzarelli: I have never been in a fight, but everyone thinks I can fight. We scared them off, but they were pretty rugged and unsavoury characters. They were trying to heavy us just for being there.

That CFMEU tactic has been around a long while. Its members have been involved with bikie gangs and organised crime. I think sometimes we are a bit too hard on the bikie gangs, but we should be hard on organised criminals and come down on them like a tonne of bricks. Some bikie gangs are not necessarily in organised crime. The reality is that the CFMEU should have been out of the Labor Party and the labour movement 10 years ago because all those things were well established and well known. The only thing one can say in defence of the union is that it is in a rough, tough industry. People die on construction sites. They have to be strong and forceful in some things they do, but not to the point of associating with organised crime. Let the police look after that, rather than an expensive, wasteful, politically motivated royal commission.

**Ms ABIGAIL BOYD (16:42):** On behalf of The Greens, I also oppose the motion. Any allegation of criminal conduct should be taken very seriously and investigated by the proper means. An investigation is underway in New South Wales, and it is not appropriate to comment further on that. We need to await the outcome of that investigation. However, it is worth reflecting on the pretty shameful opportunism of some political leaders who have been seeking to make political hay of the media scandal.

Unions are more than just the officials that represent them; they are about the members. That particular union is looking after members who work in really dangerous situations. They are democratic membership organisations that deserve the right to self-determination. When the impact on the people who need their representation could be so severe, it is pretty shameful to make political moves to strip a democratic membership organisation like a union of its ability to govern itself or to take heavy-handed actions to try to score political points by suggesting a royal commission, because the allegations need to be tested in the court and further investigated through the proper means.

I note that the Liberals did not call for royal commissions into the sports rorts affair or the selling off of public assets in this State, in really terrible deals that have set us up with conditions that will hamstring the State and its finances for decades to come. We did not even hear calls for some sort of royal commission into the Labor Party's paper bags scandal. When Qantas was proven to have illegally fired 1,700 of its ground staff, we did not hear calls for any kind of royal commission. The most grotesque examples of corruption at the highest levels of corporations and political parties do not seem to matter enough to provoke calls for royal commissions. However,

we do get such calls when there is an opportunity to get involved in something that is already being handled in order to paint unions as being something other than what they are, quite frankly. I remind members again that the average union member is a 30-year-old nurse, and those precarious workers need their unions.

**The Hon. SCOTT FARLOW (16:45):** I support the motion moved by the Hon. Damien Tudehope because it is time. We need a royal commission into the CFMEU, and it has to start here in New South Wales. Last time members debated the CFMEU in this Chamber, we saw a protection racket from those opposite. In that debate, members heard the Hon. Tara Moriarty state:

The motion tries to tarnish an entire union, the CFMEU, and an entire movement of people who are working towards the greater good of society and standing up for working people in New South Wales and across Australia. It is a joke.

That was a Minister in the Minns Government defending the CFMEU. Of course we heard from the Hon. Cameron Murphy in that debate, who stated:

Unions like the CFMEU do an exceptional job at it. I support the CFMEU. It is a great union that does the right thing by its members.

What have we heard since? Now Government members say, "No, not us—we're taking strong action." But they will not take the strong action of actually standing up for the people of New South Wales and having a royal commission into the CFMEU.

As the Hon. Mark Latham outlined in this debate, people in the Labor Party have known about the actions of the CFMEU for a long time. They have known it and have accepted it. They have accepted \$400,000 of the union's money, which they will not hand over, and they have accepted their votes at the conference. Unfortunately, poor old Mick Veitch is no longer in this place because of the votes of the CFMEU. But the practices of the CFMEU are now being exposed, and they lead to higher costs for the people of New South Wales—30 per cent higher for construction projects and 10 per cent higher for apartments. It is a travesty for the people of New South Wales, and it has been going on for a very long time.

I grew up on a main road in the days before mobile phones. We used to get knocks at the door from people who had broken down. At the time my father was running a painting company. They had a contract with schools in New South Wales, and one day he had summarily dismissed somebody who was selling drugs to schoolchildren. That person may be related to a colourful racing identity, shall we say. We got a knock on the door at 11 o'clock at night, thinking that it was somebody who had broken down, but it was representatives of the CFMEU who were coming to stand over my father to reinstate a person who had broken the law. Those are the sorts of practices that have come from that union and have been accepted by the Labor Party for many years. It is time for the stories of the people who are fearful of the actions of that union to come out. It is time for a royal commission.

**The Hon. CHRIS RATH (16:48):** Of course the Labor Party does not want a royal commission into the CFMEU. It does not want a royal commission because it fears what it may uncover. The Labor Party cannot agree to a royal commission because it accepts CFMEU donations, it accepts CFMEU campaigners and it accepts CFMEU members. The CFMEU sits on the Labor Party admin committee—or, it did, until only a few weeks ago. The CFMEU sits in on Labor Party conferences—a conference was held only recently. The CFMEU even sits in the Labor caucus here in this very Parliament. There are people in this Parliament who are members, or who until very recently were members, of the CFMEU. Of course the Labor Party does not want a royal commission into the CFMEU—the very people who have tentacles wrapped around the entire Labor Party organisation—because it fears what the CFMEU royal commission may uncover.

And how did Labor Party members not know? It beggars belief. As the Hon. Mark Latham said, everybody knew. Everybody knew that the CFMEU was dodgy, corrupt and connected to bikies and gangland figures—shadowy, underworld figures. Everybody knew that, but not members of the Labor Party. The people who worked most closely with the CFMEU, which sits on the Labor Party admin committee and has members in the Labor caucus, and receive the donations did not know. "Oh, we didn't know until a couple of weeks ago." Does anybody really believe that they did not know? They did not want to know.

Labor Party members did not want to know because they were getting \$500,000 in affiliation fees. They did not want to know because they were getting campaigners on polling booths right across the State. It was not that they did not know; they did not want to know. Opposition members knew, and we do not work closely with the CFMEU. In fact, the CFMEU despises us. We wear it as a badge of honour that the CFMEU does not like us. As the Hon. Scott Farlow said, there was a debate in this place just over a month ago on a motion that I moved. The Government amended that motion. Consider the parts of the motion that it got rid of on 19 June this year: paragraph (2) of the motion, which condemned the CFMEU. Then, they removed paragraph (3) of my motion.

**The Hon. Daniel Mookhey:** Point of order—

**The PRESIDENT:** The Clerk will stop the clock.

**The Hon. Daniel Mookhey:** The member has clearly strayed into canvassing a decision made previously by the House. A different motion is before the House right now. The member should confine his remarks to this motion, not to the motion that was moved more than a month ago.

**The Hon. CHRIS RATH:** To the point of order: This debate is specifically canvassing a CFMEU royal commission. These exact issues were raised in a debate on 19 June. I think it is incredibly reasonable and fair that some of that material be used, especially given the wide latitude that is given in these types of motions on private members' day.

**The PRESIDENT:** I do not uphold the point of order.

**The Hon. CHRIS RATH:** I say to the Hon. Cameron Murphy that he should repeat the comments he made on 19 June in favour of the CFMEU. He said, "Unions like the CFMEU do an exceptional job. I support the CFMEU. It is a great union that does great things by its members." He should repeat the comments he made six weeks ago. *[Time expired.]*

**The Hon. RACHEL MERTON (16:52):** I support the motion of the Hon. Damien Tudehope calling for the establishment of a royal commission into the activities of the CFMEU New South Wales division. Time and again, I have argued against the thuggish standover tactics of the CFMEU. Now, finally, we have tangible and ample evidence that those claims are not just rhetoric; they are reality. The Fair Work Commission has recently applied to the Federal Court to appoint a senior barrister, Mark Irving, SC, as the independent administrator of the CFMEU. That unprecedented move comes amidst serious allegations of criminality and corruption within the union. The Fair Work Commission's plan to place the CFMEU into administration is a clear indication of the depth of the rot within that organisation.

Let us not mince words. The CFMEU, particularly under the leadership of John Setka, has shown a blatant disregard for the law and for the welfare of its members. Its actions have not only destabilised critical projects but have also discredited individuals who have dedicated their lives to their professions. That is not just negligence; it is a deliberate, calculated campaign of intimidation and coercion. Yet, every time the Opposition tries to highlight those concerning claims, the Government calls our claims ridiculous, a joke and an ideological fixation. When will enough evidence be enough for members opposite? When will they join the rest of the State in acknowledging that CFMEU is a cancer in our system?

The Minns Labor Government has consistently failed to hold unions like the CFMEU to account. Instead of protecting the interests of hardworking families and ensuring the smooth progression and finalisation of vital infrastructure projects, including new housing, the Government continues to turn a blind eye to the CFMEU's disruptive antics. The Government's inaction is a betrayal of public trust and an endorsement of the union's bullying tactics.

My friend the Hon. Chris Rath mentioned donations and workers. I have met the frontline faithful of the CFMEU. They are campaign workers for the Australian Labor Party. I have met them in Parramatta. I have met them in Penrith. I have met them all through the night on polling booths. I have witnessed firsthand the bullying, intimidation and standover tactics. I urge all members of the House to support the motion. We cannot and will not stand for union thuggery and intimidation. Enough is enough. It is time for a royal commission to bring transparency, accountability and justice to the CFMEU and to restore faith to the people of this State. We owe that to the workers of New South Wales.

**The Hon. DAMIEN TUDEHOPE (16:55):** In reply: I thank the Hon. Daniel Mookhey, the Hon. Mark Latham, Ms Abigail Boyd, the Hon. Scott Farlow, the Hon. Chris Rath and the Hon. Rachel Merton for their contributions. The Treasurer's contribution said it all on this issue. He again spelt out the virtue-signalling approach to what he says is corruption in the union, but failed to say that we want to signal to the public that we will embrace the exposure of those practices and signal that the building industry in this State is clean and cost effective. If anyone in this place should want the cost-effective delivery of construction projects, it is the Treasurer.

The most astonishing contribution came from Ms Abigail Boyd, who said that there is an objection to a royal commission because of its impact on members of the union movement. I have news for her. The greatest impact on the morale of union members does not come from a royal commission; it comes from the activity of their leadership. That is, in fact, what has an impact on the morale of union members. No-one objects to a union movement that advocates in accordance with its charter when it is not corrupt or associated with organised crime. The people making an impact on the morale of union members are the members of the corrupt body leading a corrupt union. If they had any desire to protect the good people in the union movement, they would say, "Yes, we want to dissociate ourselves from these people and we want to expose the activity they have been involved in."

The Hon. Mark Latham made an interesting contribution. He said, "We have known about this forever. Why are we here worrying about it now? It would be a lawyers' picnic." The fact that we have known about it for



a long time does not mean that we turn a blind eye to it. If we have known that this corruption exists—and if members opposite have known that it exists and have been living off the proceeds of these unions for that time and do not want to move away from their agreement—then one would welcome a royal commission to clean up this body. I urge members to support the motion. This is the only way we can really support the union movement in this State.

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

**The House divided.**

*[In division]*

**The Hon. Damien Tudehope:** Point of order: The Hon. Anthony D'Adam and the Hon. Cameron Murphy are still in the Chamber voting on this motion. They have both disclosed that they are members of the CFMEU, and I seek your ruling on whether that is a conflict of interest which would exclude them from voting on the motion.

**The Hon. Daniel Mookhey:** To the point of order: Mr President, perhaps you should conclude that the point that has just been made to you is a cheap stunt because, as anyone knows, the purpose of a disclosure regime in accordance with the Constitution and the regulations is, firstly, a matter of the utmost importance that every member does or should take seriously. Secondly, it is designed to ensure that any association that could be described by anyone whatsoever is known to the public. Thirdly, there has never been a standard applied akin to what the shadow Treasurer is applying. For example, had we known that the shadow Treasurer had certain shareholdings when he was a Minister, we would have argued that point and we could have precluded him. That was a baseless, scurrilous attack, and it should be withdrawn.

**The PRESIDENT:** Order! There is no point of order. In order to make it clear to the House, Standing Order 117 (2) states:

A member may not vote in any division on a question in which the member has a direct pecuniary interest, unless it is in common with the general public or it is on a matter of state policy.

I contend that because there are so many members of the union in question, it is in common with the general public and, indeed, it is on a matter of State policy. For that reason, I do not uphold the point of order. The tellers shall continue to count the votes.

Ayes .....16  
Noes .....24  
Majority.....8

#### AYES

Carter  
Fang (teller)  
Farlow  
Farraway  
MacDonald  
Maclaren-Jones

Martin  
Merton  
Mitchell  
Munro  
Rath (teller)

Roberts  
Ruddick  
Taylor  
Tudehope  
Ward

#### NOES

Banasiak  
Borsak  
Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly

Faehrmann  
Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Latham

Lawrence  
Mookhey  
Moriarty  
Murphy (teller)  
Nanva (teller)  
Primrose  
Sharpe  
Suvaal

**Motion negatived.**

*Documents***NSW POLICE FORCE MANAGEMENT AND ADMINISTRATION****Production of Documents: Order**

**The Hon. ROD ROBERTS (17:09):** I seek leave to amend private members' business item No. 1194 for today of which I have given notice by omitting in paragraph (b) "the 2022-2023 New South Wales Government 'People Matter Employee Survey'" and inserting instead "the 2022 and 2023 New South Wales Government 'People Matter Employee Surveys'".

**Leave granted.**

**The Hon. ROD ROBERTS:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 1 November 2019 in the possession, custody or control of the Minister for Police and Counter-terrorism and Minister for the Hunter or the NSW Police Force relating to police management and administration:

- (a) all documents relating to the purchase, distribution or disbursement of bottles of alcohol by the Office of the Commissioner, including any document which discloses the cost centres used since 1 January 2022 for the administration and credit cards of the Office of the Commissioner;
- (b) all documents relating to the 2022 and 2023 New South Wales Government "People Matter Employee Surveys", including:
  - (i) sworn and unsworn employee comments and survey results for the Professional Standards Command; and
  - (ii) correspondence regarding the results of the survey, including employee comments.
- (c) all documents relating to the recruitment and appointment of Ms Suzanne Fosbery to the Professional Standards Command, including all documents relating to the recruitment panel, including assessor and panel comments and disclosures;
- (d) all documents relating to the promotion of Don Faulds, Catherine Flood, Andrew Gamer and Naomi Moore to the rank of superintendent, including:
  - (i) each individual's eligibility to participate in the promotions process;
  - (ii) successful completion of the rank-based assessments; and
  - (iii) position-based assessment, including all documents relating to assessor and panel comments and disclosures.
- (e) all receipts, invoices and reimbursement claims relating to the purchase of meals or alcohol for the cost centres of the Capability, Performance and Youth Command or Professional Standards Command, during all periods that Deputy Commissioner Paul Pisanos, APM, was Commander;
- (f) all diary or duty book entries of Mr Pisanos for each date on which meals or alcohol were purchased using the cost centres of the Capability, Performance and Youth Command or Professional Standards Command;
- (g) all reports and correspondence created since 1 July 2021 relating to all audits of ballistic vests, including load bearing vests, integrated light armour vests, covert light armour vests, stab resistant vests, body armour vests and ballistic strike plates, including audits by former Chief Inspector Forbutt, Superintendent Bradbury, Superintendent Beard or Inspector Dawson; and
- (h) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I stand here with a very heavy heart. This is an extremely serious matter that I find very difficult to approach. This Parliament will know that over the five and a half years that I have been here, I have moved only three motions under Standing Order 52. That is how serious this standing order is. Members will know that those three Standing Order 52 motions have hit paydirt. Simply because that has happened in the past does not mean that the House should pass this motion willy-nilly.

Mr President, only yesterday you tabled the Operation Tambre report from the Law Enforcement Conduct Commission [LECC] during formal business. It was the good work of this Chamber as a whole—albeit started by me—doing our work as a house of review that led to Operation Tambre. Tambre looked into the actions of Daniel Keneally, which the LECC had looked at and said, "Nothing to see here." It was the passing of a Standing Order 52 motion in this House that spurred and forced the LECC to reinvestigate. The man was subsequently charged and convicted, and the conviction was recently upheld in a superior court. That is the power of this House and that is what I am asking for again. I do not come to this House with a Standing Order 52 motion lightly—I do my homework before I get here. We are going towards maladministration and potential corruption at the highest level in the NSW Police Force. I am referring to Commissioner Karen Webb and Deputy Commissioner Paul Pisanos.

We know that we are bleeding police by the thousands. That is not disputed, but nobody has asked why. There are two reasons: One is the wage negotiations that the Minister has been involved in since October last year, which have still not been settled; the second and biggest issue is nepotism and cronyism inside the NSW Police Force. It is a cancer inside the organisation that is forcing good men and women to leave in droves and, as they

say, "The fish rots from the head down." A senior Minister in this Government asked, "Why does Roberts hate Webb?" Roberts does not hate Webb at all. Members will remember that the very first Standing Order 52 motion that I moved in this place—we will call it the "Goulburn incident"—was when Mick Fuller was still the commissioner.

It is my job, and it is all of our jobs, to ensure that government departments are held to account. What department is more important than any other in being held to account? That is the NSW Police Force. I am limited for time, so I am going to go through this very quickly. Paragraph (a) of the motion refers to all documents, receipts and register entries in relation to the purchase of alcohol. I have very good informants inside the NSW Police Force, as well as members of the legal fraternity outside it, who have told me that Commissioner Webb has purchased in excess of 100 bottles of gin. This morning she said on the radio to Ben Fordham, "I have used that for gifts to visiting dignitaries." I say that that is not correct. That gin has been used by the commissioner herself and some of the members of staff. I am asking for the records to show where that gin was distributed, as it is taxpayers' money.

When we host dignitaries from other countries, such as consul generals and ambassadors, we do not provide alcohol. We provide gifts of other standards, and I think it is up to the Police Force to do the same. It is not the gift itself; it is where it went. Let us see the register and see where that alcohol was distributed. All government departments completed the 2022 and 2023 People Matter Employment Surveys—in fact, I think the Department of Parliamentary Services even does it. In the comments section, women police officers and women administrative officers within the Professional Standards Command—and that is a flash term for internal affairs, the unit that polices the police—made adverse comments about Paul Pisanos and their sexual harassment.

**The PRESIDENT:** The member's time has expired.

**The Hon. ROD ROBERTS:** I seek leave to speak for another four minutes.

**The Hon. Penny Sharpe:** No.

**Leave not granted.**

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:14):** The Government will not be opposing this motion. A number of matters are raised in the Standing Order 52 motion moved by the Hon. Rod Roberts, but we do not think it is appropriate to go into the specifics in the motion at this time. However, I want to briefly address the processes that the Government has in place to ensure that allegations of any kind are addressed in the appropriate manner. I am advised that allegations and questions related to this Standing Order 52 motion were sent to the Professional Standards Command [PSC]. The PSC is responsible for setting standards for performance, conduct and integrity within the NSW Police Force, and this includes investigating corruption and high-risk matters where police officers may be involved.

I am advised that these allegations are related to the substance of the member's motion before us today. I am advised that they were swiftly and appropriately referred to the oversight body, the Law Enforcement Conduct Commission [LECC]. The Law Enforcement Conduct Commission has confirmed receipt of these documents, and I am confident in its processes and practices. I remind members that, while the Government will of course produce documents as required by the standing order, it is prudent to let the LECC processes run their course. That is its job, and this Government has full faith in the LECC. During this process, we ask members to also consider the mandate of the LECC to investigate these allegations independently and thoroughly, as is its remit. Again, the Government does not oppose the motion.

**Ms SUE HIGGINSON (17:16):** The Greens also support this call for papers. I do not intend to go into the substance of the motion in detail, but there is one thing that I think is important to put on the record. Integrity processes can happen in parallel. We do not need to just run singular processes. In fact, anybody who is involved in forensic activities, including integrity processes, understands that when they run in parallel, they more often than not accommodate a more just, transparent and accountable final outcome. It is important that we do not go down the path of saying that if the LECC is doing it, we do not need to. I do not think I have ever heard the LECC or any of its representatives say that other parallel processes are not a good idea. In fact, the contrary is true. It is the same whether it is an ICAC process and a parliamentary inquiry process, or whether it is a call for papers.

As the Hon. Rod Roberts made very clear, sometimes the LECC actually benefits from these parallel processes running. We saw that in the inquiry and process that the honourable member referred to. There is diminishing trust on the part of many sectors of the community, including the police, around the administration of the NSW Police Force and its oversight mechanisms. The LECC has tabled reports in this Parliament saying

that its powers are illusory. The LECC has an important oversight role, but it is incredibly limited. We do not have a police integrity commission. All we have is an oversight commission with very limited powers and resources.

We still have a system of the police investigating the police, and we have seen the breakdown in that system. My office gets calls, almost on a daily basis, about this happening. The Greens support this call for papers. Police integrity, accountability and transparency are the key drivers to confidence in policing. When there is no public confidence in policing, there are genuine and justifiable breakdowns in social cohesion, and that is the last thing this State needs right now.

**The Hon. CHRIS RATH (17:19):** For the reasons so persuasively put forward by the Hon. Rod Roberts, the Opposition will support this call for papers. We are all in favour of more transparency when it comes to these types of matters. The Opposition supports the motion.

**The Hon. ROD ROBERTS (17:20):** In reply: I note the Minister's response that the Law Enforcement Conduct Commission [LECC] is looking at this issue. I reiterate what I have said previously about Operation Tambre: that the LECC looked at the Keneally matter and said, "There is nothing to see here," and sent the complainant on his way. If not for the Legislative Council intervening, that matter would not have been brought to a resolution. I refer to paragraph (g) of the motion. It relates to audits of various types of vests: load-bearing vests, integrated light armour vests, covert light armour vests, stab resistant vests, body armour vests, ballistic strike plates et cetera.

I inform members that a number of internal audits have been done by the NSW Police Force. It has been alleged to me that up to 1,000 vests have gone missing and are unaccounted for. These vests are prohibited weapons under the Act. They are gone. Audits were done by former Chief Inspector Forbutt, Superintendent Bradbury, Superintendent Beard and Inspector Dawson. I know the names of the police who conducted the audits, because these audits have happened. The audit results show that vests are missing and unaccounted for. That is the serious nature of this call for papers. Where are those vests? Are they in the hands of gangsters, organised criminals, terrorists? We need to know. I hope I am wrong. I hope I am barking up the wrong tree, but I do not think I am. It is incumbent that we as a House get these papers so we can have a good look at this issue and put it to rest, one way or another.

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

**Motion agreed to.**

#### *Motions*

#### **RENTAL POLICY**

**The Hon. Dr SARAH KAINE (17:22):** I move:

- (1) That this House notes the Government's rental reform package.
- (2) That this House acknowledges that the proposed reforms include ending no-grounds evictions for periodic and fixed-term leases, bringing in a portable rental bonds scheme, and making it illegal for renters to be charged for background checks when applying for a rental property.
- (3) That this House further notes that creating a fairer rental system in New South Wales is crucial to rebuilding our housing system.

Our State has a housing affordability crisis. Housing cost is the largest single cost-of-living pressure faced by the people of New South Wales. The current rental market is the toughest that renters have seen for decades, with historically low vacancy rates, climbing rents and a system that leaves them vulnerable to eviction at any time. The Government is acting to address this crisis by creating a fairer, more modern rental market through implementing rental reforms. The proposed reforms include ending no-grounds evictions for periodic and fixed-term leases, bringing in a portable rental bonds scheme and making it illegal for renters to be charged for background checks when applying for a rental property.

The new laws to end no-grounds evictions will be one of the biggest reforms to the rental market in a decade. Under the Government's proposed reforms, home owners will now need a reason to end a tenancy for periodic and fixed-term leases. This will include commonsense reasons such as where the property is needed for the landlord or their family to live in, will be sold, requires significant renovations or repairs, will be demolished or is no longer going to be used as a rental home. Owners and agents could be fined if they do not comply with the rules, and there will be a restriction from reletting for some types of terminations.

It is also proposed that the notice period for renters to leave at the end of a fixed-term lease be extended from 30 days to 60 days for leases of six months or less, and to 90 days for leases longer than six months. This reform will move New South Wales towards a new approach to tenancy that is modern, balanced and recognises that renting is a permanent form of housing for many people—that people are renting a home, not just a house.

That is a leap that people need to take in understanding the current housing market. All of those provisions will be subject to consultation with tenant advocates and industry representatives to ensure we get the balance right. The Government is also investing \$6.6 million to develop and deliver the portable rental bonds scheme—the first in the nation—a financial relief measure that will make it easier for renters when moving by allowing eligible tenants to digitally transfer their existing bond to their new rental home.

For many renters, the prospect of needing to pay for a new bond before their old one is returned can make moving seem like an impossibility. This was the case for Suzie, who recently contacted my office to share her story. She had been advised that her rent would be increasing from \$425 per week to \$550 per week—an extra \$500 per month. Suzie had looked into moving to a different suburb where the rent was more affordable. However, when she considered the cost of moving and a new bond, she realised that she could not afford to leave her current rental property. Instead, Suzie has accepted the rent increase. She hopes that, despite the cost, she will be able to save up enough to fund the move in the near future, but says that some days that seems impossible. She feels despondent that she is prevented from accessing more appropriate housing because someone else is holding onto her money.

Renters should not have to stay in housing that no longer meets their needs because leaving is too expensive. The portable rental bonds scheme will maintain the integrity of the bond system, ensuring that home owners have security for their asset, while reducing financial stress for renters. It will make moving an option for renters. That is why these reforms are so important. They will have real impacts for the over two million renters in New South Wales, and go a long way towards creating a fairer and more modern rental system.

**The Hon. SCOTT FARLOW (17:26):** I make a contribution on behalf of the Opposition. From the outset, I indicate that the Opposition will not be opposing the motion. The Liberal Party and The Nationals recognise the immense frustration among renters and those seeking affordable and secure rental housing, which has been exacerbated by the inaction of the Minns Labor Government. During Labor's tenure, rents in Greater Sydney have risen by over 13 per cent. The availability of rental housing for median income earners in New South Wales has dropped from 35 per cent in 2022-23 to 28 per cent in 2023-24.

This contrasts sharply with the Liberal-Nationals Government's record high of 48 per cent in 2021. The only Labor reform for renters has been the appointment of a Rental Commissioner, and even this has been underfunded and under-resourced. There are one million renting households in New South Wales. The incidence of no-grounds evictions in New South Wales is 28,000 per year. Over two-thirds of no-grounds evictions are given to renters at the end of a fixed-term lease. For that reason, noting additional tenant protections during fixed terms and noting our support of extending the notice periods for fixed-term leases, any prohibition should not extend to fixed-term leases.

The Legislative Assembly Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024 heard concerns from property owners and real estate agents about this reform. Strong evidence was presented that spoke to the risk of this reform leading to a reduction in the supply of rental properties and more difficult conditions for renters in New South Wales. The Victorian Labor Government prohibited no-grounds evictions in 2021. The data and dynamics of the Victorian rental market since the prohibition demonstrate the effect on supply of rental properties when reform is not done right. NSW Fair Trading's recent consultation paper showed starkly divided opinions on banning no-grounds evictions for fixed-term leases, with strong support from renters but little from landlords and agents.

Twenty-two days before the last election, on 3 March 2023, the Coalition promised to "introduce a rent or bond rollover scheme to reduce the financial impact associated with moving homes". Coalition election promises included moving to a "reasonable grounds" model for evictions during periodic leases, with the final list of reasonable grounds to be subject to consultation with key stakeholders, including landlords; extending notice periods for end of fixed-term leases, allowing tenants more time to find a new home; introducing a new optional standard lease agreement with three- and five-year terms to improve the uptake of long-term leases and the ability of tenants to make a home; and regulating information collected and stored from tenants and applicants.

The Opposition will support legislation to make selling background checks illegal, as it eases the cost of purchasing a property, even if it is only marginal. Rental reform is important. The initial work started under the Coalition. We reserve the right to further consider the Government's proposals as the legislation is made available to this House and to the other place.

**The Hon. MARK LATHAM (17:29):** I oppose the motion because it goes against the overwhelming social justice and opportunity issue in New South Wales, which is housing affordability. Clearly, taking away the property rights of those who own a property and rent it out will minimise that kind of investment in New South Wales and drive it elsewhere. We will see a reduction in the number of rental properties because of the reform about no-grounds evictions. There might have been other times when that was appropriate.

There was a long delay before the Minns Government moved on this reform, but it runs as a cross-current against the Government's other policy, which is about housing supply and affordability. One of the great paradoxes of the Minns Labor Government is how, on most fronts, it is making the housing affordability crisis worse. The Housing Industry Association says the work of the Building Commissioner, particularly on single-storey detached housing, is adding over \$20,000 to the costs of a building. The green tape and environmental reforms add \$50,000 to apartment costs and \$100,000 to detached housing costs. The slowness of the local government approvals system has not been addressed. The Labor policy in Canberra of "big Australia" immigration is adding to demand for housing and driving up prices. On those four or five fronts, this Government is making the housing affordability crisis worse.

The motion talks about rebuilding our housing system. The way to rebuild it is to make it affordable, instead of locking out a whole generation of young Australians and even more from the housing market. That is the overwhelming, burning issue. Beyond that, abolishing the stamp duty choice was an act of folly. Why shouldn't people have choice, if that suits them, as the way they can get themselves, literally, a foot in the door? The Minns Government, for all its rhetoric about housing affordability, is only doing one thing. I support planning Minister Scully's reforms to try to get more housing stock, particularly in areas that have been bludging on the system, such as the North Shore, some of the eastern suburbs and around the transport modes. That is good policy, but the rest of it, including this motion, is making the situation worse.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (17:31):** I support the motion moved by my colleague the Hon. Dr Sarah Kaine and outline why the position taken by the Opposition is outrageous. The reforms are critically necessary to stabilise the completely out-of-control rental market in New South Wales. The Hon. Dr Sarah Kaine outlined that very clearly. The contribution of the Opposition so far is characterised by the Leader of the Opposition calling the Rental Commissioner "window dressing" in a press conference this week. We would never hear the Building Commissioner referred to as window dressing, but Trina Jones, the Rental Commissioner, attracted that label. It was outrageous to hear a senior public servant, who is leading the most comprehensive consultation with renters and property owners in this State's history, described in that way.

The idea that the situation renters face in New South Wales is the result of the actions of our Government is preposterous. The things listed by the shadow Minister for Housing as characterising the Opposition's approach to rental policy were last-minute, last-ditch, desperate efforts to cobble together some kind of rental policy minutes before the last election, after 12 years of doing absolutely nothing. In the 12 months or so that we have been in government, we have already closed the loopholes around secret rent bidding. We have established the Rental Commissioner. We have done the consultation on no-grounds evictions and are introducing the legislation soon. We have legislated for the nation's first portable rental bonds scheme. We have done all those things in just over 12 months. In 12 years the now Opposition managed nothing more than a few ill-fated consultations and reviews by former Minister Victor Dominello, with no actual reform.

I say two things in response to issues that have been raised. There is absolutely no evidence that introducing no-grounds evictions will reduce affordable rental stock. The house does not cease to exist if the owner, who is an investor, decides to sell it. It is bought by either another investor or, perhaps even better, a first home buyer moving from the rental market into the housing market. The house still exists and is available for someone to live in. There is no evidence that introducing no-grounds evictions has any negative impact on the availability of rentals. It is incredibly important that the scheme applies across all lease types. Otherwise we will see what has happened in Queensland, where the scheme only applies to periodic leases, which is a flood of short fixed-term leases. That is why it applies broadly under the New South Wales scheme.

**Ms CATE FAEHRMANN (17:34):** I support the motion. The Greens welcome the long overdue rental reform that the Labor Government has finally committed to. Indeed, we have been campaigning on the need for rental reform for at least a decade. It was only after much community pressure that Labor made ending no-grounds evictions an election promise, yet it has been 500 days since that election with not much action. In that time, some 40,000 renters have been evicted without reason. Labor's policy shift was hard won by groups like the Tenants' Union of NSW and the 60-plus organisations behind the Make Renting Fair campaign, which have worked tirelessly to bring the change about.

The Government finally announced it would end no-grounds evictions on the eve of a New South Wales parliamentary inquiry chaired by my colleague in the other place Jenny Leong, member for Newtown and Greens housing spokesperson. The inquiry was established after The Greens introduced a bill in February to end unfair no-grounds evictions for both periodic and fixed-term tenancies. The inquiry received 45 written submissions, the overwhelming majority of which supported the abolition of no-grounds evictions. There were submissions

countering the commonly heard view that no-grounds reform will disadvantage all landlords and lead to disinvestment. That was roundly knocked on the head.

Ending no-grounds eviction will finally bring New South Wales in line with other jurisdictions like Victoria, Queensland, the Australian Capital Territory and South Australia, which have all either fully or partially banned no-grounds evictions. The United Kingdom, Scotland and New Zealand have also banned no-grounds evictions. The Greens support other measures like ending charges for renters for background checks and a portable bond scheme that will allow the transfer of a bond from one property to another. Indeed, we have been advocating for them long before any other party in this place. There is much more work to do around renters' rights, like controlling rent increases and mandating minimum standards for rental homes. Changes also need to be made at a Federal level to address the housing crisis. Again, The Greens have long been advocating for measures like ending capital gains tax discounts and reforming negative gearing.

One-third of people in this State are renters. No-grounds evictions have caused enough housing insecurity, financial strain and emotional stress for renters. Every day that this Government delays in bringing forward legislation means dozens of people get that eviction notice. Instead of Government members patting themselves on the back with this motion, let us get on with the legislation and end no-grounds eviction in New South Wales.

**The Hon. Dr SARAH KAINE (17:37):** In reply: I thank the Hon. Scott Farlow, the Hon. Mark Latham, the Hon. Rose Jackson and Ms Cate Faehrmann for their contributions to the debate. The contribution by Minister Jackson noted the absolute necessity of stabilising the rental market. Again I draw the attention of the House to the example I gave of the renter who spoke to us about her situation. I take issue with Ms Cate Faehrmann's suggestion that there is something self-congratulatory about what we are trying to do. In fact, every time the Minister has spoken about the housing crisis in New South Wales, she has been refreshingly honest about the difficulties we face in alleviating that crisis. She repeatedly talks about the need for the response to be not only considered but also multifaceted. That is what we see today. We see components of systemic change the New South Wales Government is undertaking that recognise the problem is bigger than one action. It is bigger than one announcement. It is bigger than debate on one motion. It is something that needs to be considered. In that sense, I also draw attention to some references to the amount of time taken.

In making a considered policy response, appropriate time needs to be taken to ensure that the balance is right. I do not think the Government should apologise for that. Of course Government members want to solve issues as socially problematic as a housing crisis as quickly as we possibly can, but we also want to ensure that we do not exacerbate the situation. We do not want to make things worse. We want to make things easier, particularly for the renters of New South Wales who are finding it difficult to find properties and to stay in properties. I commend the Minister, not in a self-congratulatory way, but in a way that recognises that the Government knows the extent of the problem. We also know that each of the reform steps will be part of a much broader response that will be much longer term. I commend the motion to the House.

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

**Motion agreed to.**

## **COST OF LIVING**

**The Hon. SAM FARRAWAY (17:40):** I move:

- (1) That this House notes that a recent survey conducted by the Smith Family identified that families are struggling to afford school lunches from the canteen, school uniforms and supplies, as well as after-school activities.
- (2) That this House calls on the Government to reinstate cost-of-living initiatives such as Active Kids, Creative Kids and Back to School vouchers.

As the motion clearly outlines, a recent survey conducted by the Smith Family identified that families are struggling to afford school lunches from canteens, school uniforms and supplies, and after-school activities. This is a significant reflection of the cost-of-living crisis that we, our communities, and our State and country are living through right now. The survey found that more than one-quarter of Australian families cannot pay for, or are struggling to afford, school lunches and snacks for their children. The results of that survey are certainly nothing to crow about.

The national survey also found that more than one-third of families are having difficulty paying for school uniforms, shoes and schoolbags. Nearly one-third of families are struggling to purchase schoolbooks and stationery, while almost half are having difficulty paying for things such as music lessons and sport. I will examine some of the key statistics revealed by the survey: Some 26 per cent of families cannot afford or are struggling to afford school lunches and snacks; 35 per cent of families cannot afford or are struggling to afford school uniforms, bags and shoes; 31 per cent of families cannot afford or are struggling to afford school stationery, exercise books and textbooks; 45 per cent of families cannot afford or are struggling to afford laptops or other digital devices;

and 39 per cent of families cannot afford or are struggling to afford school camps and excursions or extracurricular activities.

Lately I have been out and about talking to people on the ground across the Central West, and there is no doubt that the cost of living is the number one issue for families across regional New South Wales. I am sure the same would be said in metropolitan Sydney and right across the country. The one resonating bit of feedback that is coming from families I speak to daily is that it is the little things that they are missing. That is why I have moved this motion, which calls on the New South Wales Labor Government to reinstate cost-of-living initiatives, such as the Active Kids vouchers, the Creative Kids vouchers and the Back to School vouchers. It is so important that governments of whatever political persuasion in New South Wales or in Canberra find effective strategies that do not create inflationary pressures on the economy but at the same time give actual and meaningful cost-of-living relief to mums and dads.

The best example I can give tonight is Jackie, who emailed my office. Her email almost made me cry. She is a mother who lives in the Central West. She cannot afford to pay the electricity bill. She is struggling to keep pace with the bills as they are coming in, and on a weekly basis she absolutely dreads going to the supermarket because she does not know how she will be able to pay for the groceries. At the end of the day, we need governments in this State and country to be implementing strategies and policies that may not put inflationary pressure on the economy but provide meaningful support. We know that under the former Coalition Government the voucher system worked. It was incredibly popular and it worked. I really do not think that Back to School vouchers that assist with the purchase of kids' shoes, exercise books, textbooks, pens, pencils and staplers will add to our inflation problem. Vouchers are a targeted strategy.

It does not matter who came up with the idea. At the end of the day, what mums and dads across regional New South Wales and across the State want is government to help them with the little things. This Government spoke about people in the election, but it appears that all Government members do in this place is talk. There is no action, and they seem to have forgotten about the mums and dads who are struggling through this cost-of-living crisis. The second part of the motion is the critical point, and that is what I really want from whoever contributes to this debate on behalf of the Government. The initiatives that have worked should be reimplemented for a period to help ease the cost-of-living crisis. It is imperative that this Government looks to reintroduce what has worked, such as the Active Kids, Creative Kids and Back to School vouchers.

**Ms ABIGAIL BOYD (17:47):** This is genuinely extraordinary. The people across New South Wales do not want help with the little things. They want help with the big things. The conservatives who were in power for the past 12 years in New South Wales and in Federal Government absolutely screwed the economy. They sold off everything, and we ended up with all of the tolls and all of the privatised entities that have led to people having to pay more and more for the basic things that government was supposed to provide. The previous Government had one program—lousy school vouchers and some other things that were really hard to access. I know because I tried.

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

**Ms ABIGAIL BOYD:** I tried, and it was so hard because I had to do it in certain multiples. I had to apply and make sure all sorts of things happened. That is not what people want. They want lower mortgages. They want accessible, free public transport. They want a school system where they do not have to fork out thousands of dollars all the time. The previous Government screwed over the economy so badly that people were then a bit grateful for having been given crumbs in the form of vouchers.

**The Hon. Sam Faraway:** Did you use the vouchers?

**Ms ABIGAIL BOYD:** I will answer that, if you like, in a moment. To lose the election so resoundingly and then to come along and still, over a year after they lost that election, be trying to push the silly ideas they had previously is just extraordinary. Cost-of-living pressures have come from the past 12 years of really faulty economic policy from the previous Coalition Government. Get over the vouchers idea. That was tiny crumbs that barely scratched the surface of the problem. Put up some good ideas. I agree that the Labor Government is not doing everything great, but Opposition members need to come up with some new things. I move:

That the question be amended by inserting after paragraph (1):

- (2) That this Houses further notes that from 2014 to 2023, while the Coalition was in government, the average out-of-pocket costs for public school families going towards voluntary school contributions and subject contributions increased by 57 per cent.
- (3) That this House notes that, according to a report from the University of Sydney Business School, as a result of the wage suppression from the Coalition's public sector wage cap, real wages for teachers, nurses and other government workers in New South Wales have gone backwards, with real wages for nurses and midwives now lower than before 2011, and it continues to have a direct impact on cost-of-living pressures.



**The Hon. MARK BUTTIGIEG (17:49):** Being in government is about making choices. The member who moved the motion talked about inflationary pressures and how to best solve them. If those opposite think that the Back to School and other vouchers were the silver bullet, they are sorely mistaken. The very fact that the member asked, "Did you use them?" repeatedly in the last two minutes of his speech—I can tell you that almost everyone in this House qualified for them—tells you a lot about where it went and where it should have gone. I move:

That the question be amended by omitting all words after "That" in paragraph (2) and inserting instead:

this House notes the New South Wales Government has provided around \$8.7 billion to assist households with cost-of-living pressures.

The Government will be supporting The Greens amendment. Families and businesses are being forced to make difficult choices to balance their budgets. What they need is cost-of-living support and a Government that is being careful with its spending, just like they are. This Government is careful about every dollar it spends because inflation is the biggest destroyer of people's purchasing power. By contrast, careless handouts can fuel inflation. That is why the recent budget provided careful and targeted cost-of-living measures. In the 2024-25 budget the New South Wales Government will provide around \$8.7 billion in targeted assistance to help households with growing cost-of-living pressures. Just a few of the measures include \$6.6 million to develop and deliver Australia's first portable rental bond scheme and stamp duty relief. Since 1 July 2023 average stamp duty savings for first home buyers has been \$20,479. These are not just cost-saving measures for families.

**The Hon. Susan Carter:** This is not cost-of-living relief.

**The Hon. MARK BUTTIGIEG:** Isn't it? Can you believe it? Those opposite are actually denying that these measures help families. Energy bill relief—look it up in the budget. From 1 July 2024 the Family Energy Rebate and the Seniors Energy Rebate will increase to \$250, the Low Income Household Rebate and the Medical Energy Rebate will increase to \$350, and the Life Support Rebate will be up to \$1,639 for each equipment type. Those are real measures and they are choices that the Government has made to reduce cost-of-living pressures, rather than giving handouts to people who can already afford it. [*Time expired.*]

**The Hon. MARK LATHAM (17:52):** It is the battle of the amendments because I, too, have an amendment—not to be left out. It is also the battle of fiscal irresponsibility because the position of the Government in its amendment is to say that it has spent \$8 billion on handouts. The position of the Opposition is to say, "Well, we can take your \$8 billion and see you a few more billion by restoring these voucher handouts." How can we be doing that at a time of enormous government deficit and debt in New South Wales? How can we be doing that and ignore the recent report of S&P Global and also the words of the governor of the Reserve Bank? She pointed out that the large State Government deficits in Australia, particularly in New South Wales and Victoria, have added to upward pressure on inflation, which has made it harder for the Reserve Bank to cut interest rates and assist with housing affordability.

The culprits are Canberra, Macquarie Street and the Victorian Parliament. It is self-evident that all the stimulus in the economy—huge amounts; record amounts in Australia, Federal and State—is adding to inflationary pressures and making it harder for the Reserve Bank to cut interest rates. Just yesterday it said that it would not cut them for six months. It has put up interest rates but there will be no cut for six months even though we know the economy is flat, businesses are struggling, discretionary spending is down and the cost-of-living crisis is real.

My amendment is to point out that we are better off means-testing all the transfer payments. All the handouts should be means-tested. The outgoing former Premier and former Treasurer, Dominic Perrottet, said yesterday said that the middle class pay their taxes so everyone should get a benefit. What is the point of having a progressive tax system if the Government gives the money back to millionaires and billionaires via handouts in policies that add to deficit and debt and drive up inflation? It is nonsensical in terms of a rational economic approach. Unfortunately, the Treasury does not have the data to even know which benefits are not means-tested, and members will learn that from the amendment that I am moving. I move:

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

- (2) That this House notes with surprise and disappointment that, as per the Treasurer's answer to question on notice No. 2469, Treasury does not hold data or a "register of all the budgeted activities that are transfer payment in nature, nor the qualification criteria used when assessing applications, such as whether they are means tested."
- (3) That this House notes how the former Government's voucher payments were open to widespread abuse, including wealthy people in their twenties and thirties claiming the Active Kids vouchers.
- (4) That this House supports means-testing of State Government transfer payments, especially at a time of large budget deficits and debts.

- (5) That this House further notes the recent reports from S&P Global, that large State government deficits in Australia, especially in New South Wales and Victoria, are adding to upward pressure on inflation and making it harder for the Reserve Bank of Australia to cut interest rates and assist housing affordability.

The former Government's handouts were not means-tested or age-tested. A person in their twenties or thirties rolling in money could turn up to a kids facility and have the voucher cashed in. What a rort! What an outrage! The Hon. Mark Buttigieg did it too. He pointed to himself but he should have pointed to the Opposition.

**The Hon. SARAH MITCHELL (17:55):** I speak in support of the motion moved by my colleague the Hon. Sam Faraway. I do so noting the Smith Family survey that was released last week. I acknowledge that the member has moved this motion because it is a really big issue. I may have been the education Minister, and I am now the shadow education Minister, but I am also a mum with school-aged children at the local public school. This issue is absolutely something that parents are talking about at the school gate, when picking the kids up from music lessons and on the sports fields on the weekend.

We are fortunate in this place because we receive good salaries that enable us to allow our children to participate, but I can tell you that families are feeling the cost-of-living pressures now more than ever. It is very evident and it does not matter whether it is in Gunnedah, where I live, here in Sydney or in the western parts of the State; people are raising this with us politicians, particularly those who live in the regions, and are saying, "We are really struggling. We are struggling to have those basic cost-of-living things for our kids. We are making decisions for the first time ever about whether we can afford to put them in a weekend sport or whether we can let them attend a music class."

I understand that people have differing views about the voucher system. My personal view was that it made a really big difference. It meant that kids, sometimes for the first time, might have joined the local footy team or the local netball club. They might have picked up a musical instrument for the first time in their life or attended a creative arts class. They might have found something that they were passionate about. The Back to School vouchers were a huge help for families. A lot of that money went through the local P&C associations because the vouchers could be used at places like the uniform stores. Some parents use them for excursions, which often cost a significant amount. The vouchers were very popular, so to hear members say that they were silly and it was unfair does not represent how it resonated in the community. If those opposite think that what they are doing is enough, it is not. People are hurting and they are starting to get angry. The anger is going to be directed at the State Government, and it will certainly be directed to the Federal Government as well, because they are not getting support that used to be there.

I thank the Hon. Sam Faraway for moving the motion. I know it is something that he also feels strongly about because he is hearing what I am hearing. He is hearing about kids who are now missing out. He is hearing about parents making tough choices about what they can and cannot do to support their children, and that is not a position that anybody wants to be in. If I can have the House's indulgence for my last 30 seconds, I know firsthand as a mum the difference that it makes when you can afford to give your children opportunities in sport or in creative arts pursuits. My eldest daughter, Annabel, loves being involved in local things in our community, and today is her eleventh birthday. Happy eleventh birthday, Annabel. I am sorry for hijacking your motion, Sam. We cut the cake via FaceTime, so I still managed to be there in some way. This is a serious issue that families care about.

**The Hon. EMILY SUVAAL (17:58):** I speak in support of the Government's amendment and The Greens' amendment. The Government recognises that it has three key economic priorities: to do its bit to fight inflation, to fix the State's essential services and to fund only programs that work. Families across the State are doing it tough right now, and it is becoming increasingly difficult for families in New South Wales to make ends meet. The biggest cost to families at the moment is housing. That is the biggest cost-of-living pressure that families face. Instead of coming up with a clearly articulated policy position on addressing the housing crisis that the State is facing or, indeed, acknowledging that it exists, the Opposition's solution is non-means-tested, poor policy that is basically saying, "Chuck it on the credit card and worry about it later."

As Ms Abigail Boyd pointed out in her contribution, we are seeing the results of that approach coming home to roost now. Regarding the 2024-25 budget and the Hon. Mark Latham's comments, I want to be clear that the Government provided \$8.7 billion of targeted assistance to assist households specifically with growing cost-of-living pressures. It was not the willy-nilly, "chuck it on the credit card" approach adopted by those opposite; it was a targeted approach to assist households with growing cost-of-living pressures.

As I said, housing is the biggest cost-of-living pressure that families face, but there is another cost-of-living measure that the Government addressed in the recent budget. The Hon. Courtney Houssos has done a lot of work in this space and around the Bulk-Billing Support Initiative since coming into office. That payroll tax issue for GPs has been lingering for years. Those opposite did nothing about it; it did not matter. New South Wales was about to face a situation in which a whole bunch of GPs would no longer be able to bulk-bill patients. This

Government provided \$188.8 million to put the Bulk-Billing Support Initiative in place to ease pressure on families and households by ensuring that GP clinics that bulk-bill 80 per cent of services in the metropolitan area, and 70 per cent in the regions, were exempt from that payroll tax liability. That is a huge policy initiative. The Government is doing everything it can to address the cost-of-living pressures facing families to ensure that families can see a GP without having to pay through the nose.

**The Hon. NATASHA MACLAREN-JONES (18:02):** I support the motion and thank the Hon. Sam Farraway for bringing it forward. I particularly acknowledge the Smith Family and the annual survey it conducts. It is alarming that the survey predicts that poverty and the stress that families are under are expected to grow and become worse over the coming years. Members have talked about housing and broader topics but seem to be missing the fact that families and young people are experiencing poverty. That is what the motion focuses on. There are families and young people that are on the brink of losing the roof over their head or are currently living in cars or accommodation that is not fit to be accommodation. The worst thing of all is that we are hearing more and more about—and it is a horrible term to use—the working poor. Families and parents are working and bringing home whatever money they can to, hopefully, keep a roof over their head for their family. They are reaching out to various food pantries, non-government organisations and other organisations for whatever assistance they can get.

There are numerous stories. The organisations and volunteers that I meet with constantly talk about young people. Young people are coming in and asking for the basic essential services and support that they need to keep going. That is what the survey highlights. More importantly, the Government has the responsibility and the ability to support the most vulnerable people. Kids are reaching out. The survey highlights the impact that poverty has on those young people to be able to go to school to finish their education, and to have food and resources. Whether it is a Back to School voucher or another form of assistance, it is the role of government to ensure that those support services are there for the most vulnerable in the community.

I also note Mission Australia's youth survey, which highlighted the same things as the Smith Family's survey. The report released last month found that one in six respondents had experienced homelessness in the past year. It surveyed kids from the age of 15 to about the age of 20. Some 42 per cent of them had sought financial support or assistance for essential things like food, housing or transport to get to school. They are feeling the emotional toll. They are reaching out, and they need the support of the Government. It is this Government's responsibility to step up and start supporting the most vulnerable in our community.

**The Hon. Dr SARAH KAINE (18:05):** To quote the Hon. Cameron Murphy, I was not intending to speak in this debate, but I felt compelled given the contributions. I genuinely think that there is a lot of agreement across the Chamber in members' concern at the results of the Smith Family's survey, about families struggling to afford school lunches et cetera. There is a genuine, deep and shared concern across the Chamber about that. What I struggle with, though, is the seemingly paradoxical position of members opposite, who have concerns but think that they will be resolved through some kind of regressive tax and transfer system represented by the vouchers that we keep hearing about.

Regressive transfers that do not acknowledge differences in earnings and do not have any means tests attached to them are not a fair way to address concerns about poverty and vulnerability. If we are going to be serious about this—and I note the amendments of both the Government and The Greens—we need to consider that vouchers are not going to solve the problem. It is going to be the housing initiatives that my colleague the Hon. Emily Suvaal spoke about. It is going to be making sure that public schools are properly funded in the right places for children to get an education. It is going to be the systemic initiatives. A \$50 voucher that is available across the State to people who do not need it is not going to solve the cost-of-living crisis. We need to target those who need it the most with as many resources as we can muster. Quite simply, the voucher system and what it represents in terms of a regressive transfer system is not the best way, is not a fair way and is not the Labor way.

**The Hon. SUSAN CARTER (18:07):** I speak in support of the motion. I am delighted to hear that it is the Government's intention to fund only programs that work, because Active Kids vouchers work, as do Creative Kids vouchers, as do Back to School vouchers. They give families choices and enable them to ensure that their children, sometimes for the first time, participate in sport, that they have the right school shoes to wear to school, that they can go on excursions and that they can participate in the arts and creative programs that they want. Those programs came from listening to mums and dads. The debate highlights an interesting philosophical difference between members on this side of the Chamber and those opposite.

It is great to hear, "Let's move the levers and change the system." We want to work with families and empower parents to have that choice and the dignity to be able to make sure that they can pay the soccer fees. That is tremendously important. It is not at all regressive to ensure that all families and all parents have that choice. In fact, we all heard Dominic Perrottet explain yesterday that we did not means-test those family support policies because income is not the sole determinant of wealth or capacity to pay. We cannot compare two people on the

same income unless we also take into account who is dependent on that income and the other expenses that those families need to meet.

I ask members to imagine a family that has two kids in soccer and a third who is learning piano. Members have talked about housing. Let us look at the cost of mortgage repayments. The average mortgage repayment has gone up \$20,000 per year for the past three years. The average New South Wales family with a mortgage is paying \$60,000 more than they were three years ago. The National Australia Bank tells us parents are cutting back their gym memberships and their participation in sport. What happens next? Piano lessons go and soccer fees cannot be met. With no more direct cost-of-living support from this Government, what happens to those children and their opportunities to participate? How many of the families that nurture our next Olympians will be from New South Wales? This is a really important issue. To deride it as "silly vouchers" shows that this Government is not listening to families. It is not listening to people standing on soccer fields, nor those who wish they were standing on those fields watching their children play soccer but are not because they can no longer afford to pay. *[Time expired.]*

**The Hon. SAM FARRAWAY (18:11):** In reply: I acknowledge all contributions to this debate from members across the Chamber. I am incredibly disappointed but not surprised by the response from the Labor-Greens alliance in this Chamber. The reality is that the New South Wales Labor Government has fallen for the same trick as the Albanese Federal Labor Government. They have stopped listening. The shine has come off. As the Hon. Susan Carter eloquently put it, they have stopped listening to families at the soccer game on a Saturday morning. For the benefit of members, I quote some of the astonishing contributions from Labor and The Greens members. We have heard "stupid vouchers", "only fund programs that work" and "as if the numbers don't tell the story about the vouchers". The vouchers worked. They worked so well that the program had to be extended. Again, those members have described Active Kids and Back to School vouchers as programs that do not work. I ask members to mark those words.

Labor members have called them "careless handouts" and spoke about handouts to only those that need it. What do those members want me to say to Jackie from Bathurst, who cannot afford the grocery bill and struggles to buy the textbooks and the kids' shoes to go back to school? What did New South Wales Labor Government members give me in their contributions to this debate tonight to take back to Jackie? They gave me nothing because they have nothing. They are completely out of touch. The Greens just call them "stupid vouchers".

**Ms Abigail Boyd:** "Silly vouchers".

**The Hon. SAM FARRAWAY:** No, you called them "stupid vouchers". At the end of the day, that shows the lack of understanding by The Greens members and the fact that they will never, ever govern—although that is questionable, because they do pull on the strings of the Labor Government. Labor members have called these programs "regressive transfers". Seriously? Have they even looked at how many vouchers were distributed? Members talk about housing, and that is all well and good, but how do people pay the grocery bill today? They are not seeing any real action on housing.

This is before we get to more regional-specific support that was there under the former Government. Where is the regional seniors travel card? Over one million cards distributed over four years helped pensioners in regional New South Wales. What have they got in return from this Labor Government, which is meant to care about people? They have got nothing. What are members meant to say to the pensioners in Orange? What are we meant to say to Jackie in Bathurst, who cannot afford the grocery bill and is struggling to buy the schoolkids their textbooks, the shoes they need and their stationery? We have got nothing from Labor. The Greens refer to them as silly or stupid vouchers. That says it all. This is a very out of touch New South Wales Labor Government and the shine has come off.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Hon. Sam Faraway has moved a motion, to which Ms Abigail Boyd, the Hon. Mark Latham and the Hon. Mark Buttigieg have moved amendments. The question is that the amendment of Ms Abigail Boyd be agreed to.

**Amendment of Ms Abigail Boyd agreed to.**

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

**Amendment of the Hon. Mark Latham negated.**

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

**Amendment of the Hon. Mark Buttigieg negated.**

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

**The House divided.**

Ayes .....22

Noes .....15

Majority.....7

#### AYES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann  
Graham

Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence  
Mookhey

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

#### NOES

Carter  
Fang (teller)  
Farlow  
Farraway  
Latham

MacDonald  
Maclaren-Jones  
Merton  
Mitchell  
Munro

Rath (teller)  
Roberts  
Taylor  
Tudehope  
Ward

**Motion as amended agreed to.**

#### *Bills*

### COAL MINE SUBSIDENCE COMPENSATION AMENDMENT BILL 2024

#### First Reading

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

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

**Statement of public interest tabled.**

**The Hon. PENNY SHARPE:** I move:

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

**Motion agreed to.**

**The Hon. PENNY SHARPE:** I move:

That the second reading of the bill stand as an order of the day for a later hour of the sitting.

**Motion agreed to.**

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

#### *Motions*

### FORESTRY CORPORATION

**Ms SUE HIGGINSON (20:02):** I move:

(1) That this House notes that:

- (a) on 31 July 2024 the NSW Forestry Corporation was convicted and sentenced in the Land and Environment Court for offences relating to native forest logging in 2020;
- (b) the Forestry Corporation:
  - (i) failed to accurately map two known environmentally significant areas in the Yambulla State Forest;
  - (ii) unlawfully harmed 53 eucalyptus trees; and

- (iii) potentially harmed three threatened bird species.
  - (c) the Land and Environment Court:
    - (i) agreed that there was a high likelihood the Forestry Corporation would reoffend and that it does not have good prospects of rehabilitation;
    - (ii) agreed that the Forestry Corporation is a serial offender; and
    - (iii) fined the Forestry Corporation \$360,000 for the unlawful logging.
  - (d) the Forestry Corporation has rapidly reduced dividends largely due to the unprofitability of its native forest logging division; and
  - (e) the \$360,000 fine represents 4 per cent of the entire dividend from the Forestry Corporation that was expected this financial year.
- (2) That this House further notes that:
  - (a) on 5 August 2024 new research was published by leading Australian forest scientists that found:
    - (i) 29 million hectares of forests and woodlands have been destroyed in New South Wales since European invasion;
    - (ii) nine million hectares of forests and woodlands have been damaged;
    - (iii) more than 60 per cent of the pre-European forests have been destroyed or damaged in New South Wales;
    - (iv) ongoing logging in New South Wales affects the habitat of at least 150 species at risk of extinction and 13 of these species are listed as critically endangered and have a 20 per cent probability of going extinct in 10 years or five generations;
    - (v) 43 of the threatened species impacted by logging have less than half of their habitat remaining intact in New South Wales and two species have less than 10 per cent of their habitat remaining; and
    - (vi) 400 thousand hectares of koala habitat is directly threatened by native forest logging.
  - (b) four States and Territories have ended native forest logging, including:
    - (i) South Australia in the 1870s;
    - (ii) the Australian Capital Territory in the 1980s;
    - (iii) Western Australia in 2024; and
    - (iv) Victoria in 2024.
- (3) That this House calls on the Government to:
  - (a) ensure that the Forestry Corporation adheres to the laws of New South Wales; and
  - (b) end native forest logging and repair and regenerate the public native forest estate so it can be added to the protected area network of New South Wales.

What more can be said about how poorly the New South Wales Forestry Corporation native forest logging division has been performing and how damaging the ongoing logging of native forests in New South Wales is? It turns out a lot more can and must be said, especially about the recent Land and Environment Court's findings against the Forestry Corporation. I quote from the judgement, "The EPA further submitted that it was likely that FCNSW would reoffend in similar circumstances" and "that the Court should not find that its likelihood of reoffending is low or that it has good prospects of rehabilitation". The judgement also said, "Because FCNSW ... has a pattern of environmental offending ... and ... does not accept the true extent of harm that it has caused by its offending, the penalty imposed upon FCNSW must serve to deter it."

The crimes committed by the Forestry Corporation on this occasion are not isolated, and its ongoing logging of native forests in New South Wales is regularly reported by the community as having occurred unlawfully. The number of successful prosecutions speaks volumes, and the cost to the people of New South Wales is both alarming and increasing. As of February this year, in the preceding three years, the Forestry Corporation was fined 12 times for illegal logging, with 21 investigations still pending at the time. In the past few years, we have seen a \$360,000 fine in July 2024—

**The Hon. Wes Fang:** Shame!

**Ms SUE HIGGINSON:** —a \$45,000 fine in March 2024—

**The Hon. Wes Fang:** Shame!

**Ms SUE HIGGINSON:** —\$104,000 in December 2023—

**The Hon. Wes Fang:** Shame!

**Ms SUE HIGGINSON:** Point of order: Can I not have the interjections?

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

**The Hon. Wes Fang:** To the point of order: The call of the word "shame" is in the vernacular and one of the traditions of this House. The Hon. Walt Secord used to call out "cover-up". The word "shame" is part of the vernacular used in this House.

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** Interjections are disorderly at all times, regardless of the word that the member might be trying to justify or otherwise. Ms Sue Higginson has the call.

**Ms SUE HIGGINSON:** Between April and June 2022, Forestry Corporation's fines included \$230,000, \$15,000, \$130,000 plus \$150,000 in legal fees, and \$45,000. The most recent \$360,000 fine is a significant part of the entire dividend that was budgeted to be returned to New South Wales, with just \$9 million expected in 2024-25. That essentially means that 4 per cent of Forestry Corporation's entire expected return to New South Wales has been lost as a result of single breaches of the law, many more of which have been reported. Court actions against the Forestry Corporation will become more prevalent now that the Land and Environment Court has confirmed that the Forestry Act does not prevent persons with a special interest from taking action over forestry operations in New South Wales, including disputing logging approvals.

Forestry Corporation also argued that the court cannot judicially review harvest and haul plans because all forestry operations had already been approved by the relevant Ministers under the coastal integrated forestry operations approval. But that position was rejected by the court, which found that such operational plans are open to challenge. Leaving aside the economic aspects and the increasing rate of legal action against the Forestry Corporation, we are talking about the incredibly destructive impact that native forest logging has on the environment and habitat for threatened species.

The research published this week by 14 leading experts in the field of environmental science is stark. It shows that 29 million hectares—that is 54 per cent—of the forests and woodlands that once existed in New South Wales have been completely destroyed. A further nine million hectares have been degraded in the past two centuries. That amounts to more than 60 per cent of the State's forest estate. Last night the parliamentary friends of forests hosted three of those incredible scientists for a public event in the McKell Room—Kita Ashman, David Lindenmayer and Philip Zylstra—alongside koala expert Stephen Phillips. I urge members in this place to take the opportunity to engage with the concrete evidence forwarded by those scientists about the brutal reality of native forest logging.

The simple facts are that logging is harming all of us and to stop it would help us. Evidence-based policy says we must stop it and stop it urgently. The recovery of the forests, woodlands and the environment at large in this State must commence now. Concrete actions can and must be taken by this Labor Government to undo the damage done. The Government is ultimately responsible for the Forestry Corporation and has a duty to protect the people and environment of New South Wales. Every day that the Government and this Parliament delay the end of native forest logging means more damage to the forests, at the expense of the people of New South Wales. The cliff is coming. We should no longer hold the impact on the 345 employees in the Forestry Corporation and the 18 contracting companies that are logging as a reason to continue the destruction.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (20:08):** I contribute to debate on the motion on behalf of the Government. I move:

That the question be amended as follows:

- (1) Omit paragraph (1) (c) and insert instead:
  - (c) the Land and Environment Court:
    - (i) accepted the NSW Environment Protection Authority's submission noting the court should not find that Forestry Corporation's likelihood of reoffending is low;
    - (ii) accepted the NSW Environment Protection Authority's submission that Forestry Corporation has a history of unlawfully carrying out forestry operations and does not accept the true extent of harm that it has caused by its offending; and
    - (iii) fined the Forestry Corporation \$360,000 for the unlawful logging and incorrect mapping.
- (2) In paragraph (1) (d) omit at the end "largely due to the unprofitability of its native forest logging division, and".
- (3) Omit paragraph (1) (e).
- (4) Omit paragraph (3) and insert instead:
  - (3) That this House calls on the Government to:
    - (a) ensure that the Forestry Corporation complies with the law and follows the highest standards when it comes to environmental compliance; and

- (b) regenerate the public native forest estate. The amendment relates to making sure that, if we are not to oppose parts of the motion, it accurately refers to the decision of the Land and Environment Court. The amendment also omits the final paragraph of the motion. The Government supports a sustainable forest industry in New South Wales into the future to deliver the timber that we need for housing and other important parts of life. As the Minister, I expect us to achieve that while Forestry Corp complies with the law and follows the highest possible standards of environmental compliance. There are no ifs or buts about that; Forestry Corp must comply with the law and the environmental standards in place, without exception.

I note that the decision handed down last week in the Land and Environment Court referred to a serious incident that occurred four years ago under the previous Government. I have spoken to the CEO and the chair of Forestry Corp, whom I called to urgently meet with me last Friday to discuss their responsibility to ensure that they comply with the law. It is important to acknowledge that must happen, without exception. But they have made significant improvements since the incidents for which they were fined four years ago, including a new dedicated team providing quality assurance and proactively conducting compliance audits in the field.

Forestry Corporation has employed more people to assist with compliance and planning on the ground and has increased specialised training for staff and contractors and embedded new technological systems to improve compliance in the field. I have looked at the work that Forestry Corporation is doing and the technology that is being used, which is certainly a lot better than what was in place some four years ago. Continual work must be done to embrace and use technology to ensure that we are harvesting sustainably and properly whilst maintaining the best environmental protections and complying with the law. I commend the amendment to the House.

**The Hon. WES FANG (20:11):** The Opposition will not support the motion moved by Ms Sue Higginson. Just as the Minister tries to absolutely destroy the forestry industry, her amendment reveals that she does not support forestry either. The Minister should have told Ms Sue Higginson that the Labor Government will support forestry 100 per cent. By backing the motion and trying to amend it by tinkering around the edges, the Minister has shown our communities that forestry does not really matter to the Labor Party. Labor is too busy being in bed with The Greens. Labor tinkers around the edges to make The Greens motions suitable for Labor to support, instead of telling Ms Sue Higginson about the absolute waste of money involved in bringing useless court actions against Forestry Corp—which are an absolute disgrace and an abuse of power. The Government is not supporting forestry, and the Minister should be ashamed of herself.

Yesterday in the other place the Premier said that he supported forestry. But tonight the Minister in this House is supporting The Greens motion, tinkering around the edges instead of telling forestry workers that she supports the industry. It is an absolute disgrace. I hope every forestry worker and their families, and the communities that carry out harvesting and operate mills in their areas, understand what is happening tonight: The Labor Government is selling them out to The Greens.

If members want to talk about findings of guilt in court, we should talk about Bob Brown being found guilty of trespassing on forestry. I look forward to Ms Sue Higginson bringing a motion to this House next week to condemn Bob Brown for being found guilty of trespass in relation to a legal forestry matter. Opposition members support forestry. We support a sustainable and renewable product that sequesters carbon and provides us with the ability to continue to build cost-effective and renewable homes. This motion is a disgrace, this Government is a disgrace and the Minister should have backed the forestry industry. [*Time expired.*]

**The Hon. CAMERON MURPHY (20:14):** Madam Deputy President—

**The Hon. Wes Fang:** "I wasn't going to speak, but"—

**The Hon. CAMERON MURPHY:** I was going to speak after I heard that extraordinary contribution from the Hon. Wes Fang, who clearly is living in a parallel universe. If he had listened to what the Minister said, he would know the Minister said that the Government supports forestry but also supports it being done lawfully. Government members are committed to making sure that there are jobs for people who work in the industry, but we care for the environment. Members should not believe a word that the Hon. Wes Fang said in his contribution to the debate because it was utterly ridiculous. In the end, I think members will find that The Greens probably do not like the amendment moved by the Government. I suggest that that is because the Government has struck exactly the right balance between protecting the industry and ensuring that the industry and the Forestry Corporation conduct themselves lawfully.

Members opposite attack the Government and claim that they care about those issues, but their record during their time in government is utterly hopeless—the largest land clearing ever, destruction of the environment, nothing happening to protect koalas, and all the other messes they left the current Government, along with massive closures and job losses in the industry. It is a terrible record, yet the Hon. Wes Fang has the audacity to come into this Chamber tonight, after having a few too many Red Bulls over dinner and getting excited about it, to say that the current Government has done the wrong thing. It has not done the wrong thing at all; it has an honourable



record in this area. The Minister has struck exactly the right balance, and I commend the Minister's amendment to the House.

**The Hon. EMILY SUVAAL (20:17):** I speak in support of the amendment moved by the Minister and against the relentless campaign by The Greens to try to end native forest logging. In my duty electorate of Myall Lakes, there is a wonderful fifth generation sawmill operator. Relf and Sons has been employing locals for decades and now is probably the largest employer in town, given that a number of other employers have closed, and employs 100 people in the small town of Bulahdelah. For the benefit of those who do not know, when the bypass was built, the town was deeply affected because people did not stop in there as much. Relf and Sons is a good mill operator that cares deeply about the industry and about doing the work in an ethical way. The firm has managed to strike a balance in its work that is sustainable, ethical and in line with the obligations that its operator acknowledges.

Relf and Sons also talks about the death by a thousand cuts that it feels like it is experiencing with the relentless campaign by The Greens and the far left. They are pushing to try to end native forest logging, which is just ridiculous. The timber currently produced in the mill is used at power stations, and it was recently requested for the Sydney Metro project. The mill produces pieces of timber that are uniquely shaped and fit underneath construction scaffolds. The timber that they use is cut specifically to size to fit as a stabilising piece under the scaffolding. It is quite unique. Timber is a unique product that is also used quite extensively in underground mines. They have tried many other materials but nothing works quite as safely and as effectively as timber.

It is a ridiculous concept that we could end native forest logging and somehow ensure that, as a community and as a society, we would continue to keep the lights on and enjoy some level of comfort in society. There are 100 workers in Bulahdelah, but it is not just them that are impacted because they have families. They have lived in that area for many years, working for the largest employer in town and they are feeling the pinch from irresponsible motions like the original one that was put up and the relentless campaign to try to shut them down.

**Ms SUE HIGGINSON (20:20):** In reply: My goodness, I am honestly really shocked by the contribution from the Hon. Emily Suvaal. Obviously I am so shocked by the Hon. Wes Fang's contribution that I am not even going to respond to the absolute fabrication that he put forward. To contemplate that in 2024 anyone with a modicum of understanding of our forest network and the ecology of our public native forest estate would try to justify that turning those ancient, life-giving forests into little bits of stick can help another industry is absurd. It is an absolutely incomprehensible absurdity. If you care about workers you will help—

**The Hon. Wes Fang:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Clerk will stop the clock. Ms Sue Higginson will resume her seat.

**The Hon. Wes Fang:** Whilst I am used to Ms Sue Higginson attacking me, she is now also attacking the Hon. Emily Suvaal. She should note that she should direct her comments through the Chair.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** I remind the member to direct her comments through the Chair.

**Ms SUE HIGGINSON:** Madam Deputy President, as I was saying to you, the member said that she cares for the people in her duty electorate and their jobs. If she really cared, she would be breaking her back, like The Greens are, to find a transition and to find genuine, sustainable jobs for those people that this First Nations country, which has been exploited and plundered, can support. The member would be working to find them jobs of the future, not jobs of yesterday. Those extractive, dangerous jobs are literally turning our ancient forests into sticks, pallets and firewood. It is incomprehensible to hear that argument in this Chamber tonight. Judging by that contribution, Labor has lost its way. The member is right: The Minister would not make that kind of submission in this place in 2024.

Let's remember that every time we log one of our public native forests, we make the communities around them more susceptible to dangerous, intense and frequent fires. We are walking our communities closer to the dangerous impacts of climate change. If members do not understand that, I implore them to read the science and read the evidence. The Greens do not come in here to disrupt; we come in here, with our hands on our hearts, to work together to do the things that we must all do for everyone.

**The PRESIDENT:** Ms Sue Higginson has moved a motion, to which the Hon. Tara Moriarty has moved an amendment. The question is that the amendment be agreed to.

**The House divided.**

Ayes .....21

Noes .....16  
Majority.....5

AYES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann

Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence

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

NOES

Carter  
Fang (teller)  
Farlow  
Farraway  
MacDonald  
Maclaren-Jones

Martin  
Merton  
Mitchell  
Munro  
Rath (teller)

Roberts  
Ruddick  
Taylor  
Tudehope  
Ward

**Amendment agreed to.**

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

**Leave granted.**

**The House divided.**

Ayes .....21  
Noes .....16  
Majority.....5

AYES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann

Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence

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

NOES

Carter  
Fang (teller)  
Farlow  
Farraway  
MacDonald  
Maclaren-Jones

Martin  
Merton  
Mitchell  
Munro  
Rath (teller)

Roberts  
Ruddick  
Taylor  
Tudehope  
Ward

**Motion as amended agreed to.**

*Bills*

**WATER MANAGEMENT AMENDMENT (CENTRAL COAST COUNCIL) BILL 2024**

**First Reading**

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

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

**Statement of public interest tabled.**

**The Hon. TARA MORIARTY:** I move:

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

**Motion agreed to.**

**The Hon. TARA MORIARTY:** I move:

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

**Motion agreed to.****STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2024****RICE MARKETING AMENDMENT BILL 2024****Returned**

**The PRESIDENT:** I report receipt of messages from the Legislative Assembly returning the bills without amendment.

*Motions***UNION BARGAINING FEES**

**The Hon. CHRIS RATH (20:35):** I move:

- (1) That this House notes that, under the bargaining services fees section of the general protections benchbook of the Fair Work Commission, an industrial association or an officer or member of an industrial association must not:
  - (a) demand or;
  - (b) purport to demand or; and
  - (c) do anything that would;
    - (i) have the effect of demanding or; and
    - (ii) purport to have the effect of demanding payment of a bargaining services fee.
- (2) That this House recognises that any mandatory fee paid to unions should be considered financial coercion, contravening the fundamental right to freedom of association and blatantly disregarding the conclusions of the landmark Electrolux High Court case.
- (3) That this House condemns the motion approved by the New South Wales Labor Party at its State conference supporting unions being empowered to levy a fee against non-members who supposedly benefit from union action or negotiation.
- (4) That this House calls on the Minns Labor Government to immediately rule out any implementation of compulsory unionism measures, including non-member bargaining fees.

Last week the New South Wales Labor Party took the unprecedented step of travelling back in time to the 1970s. It rejected freedom of association and scorned the intelligence of the average employee by endorsing a policy to allow unions to levy a fee against non-union members for union enterprise negotiation and industrial action. It is a proposal that the Albanese Government would not touch with a 10-foot pole. Tony Burke rejected paying fees for union bargaining as recently as last year. We know the Government has endorsed the proposal, because the New South Wales secretary of the Rail, Tram and Bus Union [RTBU] said on 2GB that "this is part of its policy platform". Even the unions are admitting that the flawed scheme will be implemented.

The downsides of the proposal can be split into the principled issues and the practical issues. Firstly, the Labor Party is trashing the principle of freedom of association. When Chris Minns and his union mates call non-union members "free riders", he is deeply offending those who wish to exercise freedom of association, which is a core right of the industrial relations system and a core tenet of New South Wales more broadly. Some 92 per cent of private sector workers choose not to join a trade union. Clearly, the aim of unions is to ensure that employees have no option other than to join their union. Stephen Smith, an industrial lawyer, wrote in *The Australian Financial Review* that it is akin to a "form of financial coercion". Given that unions spend so much money on political activities, it is undemocratic for employees to be coerced.

The key principle here is that if unions actually provided good services to their members, they would not need bargaining fees. If unions think that they have something great to offer, they should offer it in the free marketplace like every other player and not use the Government to impose their interests on others. It is draconian. The reality is that when people are given a choice, they do not choose trade unionism. Only 8 per cent of the private sector workforce in Australia chooses trade unionism. I love that choice, because they do not choose to be part of the unions that those opposite represent.

The Labor Party is so out of touch with how modern Australia works that Toby Warnes said of the fee arrangement that "you wouldn't go into a clothing store and demand that the clothing be given to you for free until you can be satisfied that the clothing is worth the purchase". I hate to break it to the RTBU, but most people inspect items of clothing before they buy them and then they decide. They are not forced to purchase the first item they see when they walk into a store. Why propose this? Does it have anything to do with the fact that 100 per cent of those opposite are union members that are hooked to the union movement like a gambler to a poker machine, constantly paying their fees but never winning anything back except a seat in Parliament? It cannot be a coincidence that more fees means more money for unions and Labor activism.

Moving to the practical considerations, aside from contravening the Fair Work Act, as set out in the motion, the High Court found in the landmark *Electrolux* case in 2004 that these fee clauses do not "pertain to the employment relationship" and could not be in enterprise bargaining agreements. Putting aside the law for a minute, consider this: If Government members looked at *The Ipsos Issues Monitor* this month, they would see that cost of living is overwhelmingly the top concern of the people of New South Wales. But last week, at their State conference, the New South Wales Labor Party decided that the best way to alleviate the financial pressure on families and workers is to slug the 92 per cent of them that choose not to be part of a trade union with a new fee, and by no means would that fee be modest.

Take the fee that existed for the Electrical Trades Union before this underhanded practice was outlawed. It was \$500 then, even though union membership was \$300 for the year. If that is not coercing people to join a union, I do not know what is. What is worse is that in today's money that fee would be almost \$1,000. That means 92 per cent of the private sector workforce will find it harder to make ends meet. That means the very people Labor purports to protect will be hit with a huge new levy, slugged with what is effectively a tax on self-determining individuals who do not give in to union intimidation.

**The Hon. MARK BUTTIGIEG (20:40):** I am not sure where the member opposite gets his sources. I am not sure whether he was disguised as Milton Friedman at the conference last week and was up in the galleries, listening in and jotting everything down, or whether he had some internal mole. I move:

That the question be amended as follows:

- (1) Omit paragraph (1) and insert instead:
  - (1) That this House notes that union members lead collective bargaining in workplaces to improve the wages and conditions of members and non-members alike.
- (2) Omit paragraphs (2) to (4) and insert instead:
  - (2) That this House further notes that:
    - (a) the provisions of the Fair Work Act are not in the remit of the New South Wales Government and are in fact a matter for the Federal Government;
    - (b) the charging of bargaining fees for member outcomes is not currently a provision under the Industrial Relations Act; and
    - (c) there is no plan by the New South Wales Labor Government to legislate for mandatory bargaining fees.

The member who moved the motion styles himself as an anti-union, free-market crusader. I presume most of his colleagues are not union members, although I know some are. His colleague the Hon. Bronnie Taylor, who is not in the Chamber, is a member of the nurses and midwives union, but I imagine most of them are not union members. Decades of union wins have made Australia the great society it is today. The wins include superannuation, Medicare, eight-hour days, long-service leave and sick leave. Yet members opposite want to deride not just union members but all of Australian society who have benefitted from hard-fought union wins. They want to consistently try to wedge us with these juvenile, immature, university campus type of motions. The member opposite clearly has not graduated from whatever campus he came from. He takes pleasure in trying to divorce us from the union movement, which we are actually proud to be part of—lock, stock and barrel.

A good deal of the union movement is affiliated with the Labor Party. That is because they keep us honest and make sure we are in touch with working-class people, who we are elected to represent. If members opposite want to keep doing this day in and day out, we will defend our affiliation with the union movement. We defend their right to bargain on behalf of union members and non-members and we defend their right to say to non-union members, "Join a union because you will be better off. On average, we get way better wage rises than non-union members." I commend the amendment to the House.

**Ms ABIGAIL BOYD (20:43):** The Greens do not support the motion and will support the amendment that the Government has moved. The Hon. Mark Buttigieg put it very well. I remember when I started as a 14-year-and-nine-month-old worker at Kmart and I was handed a form. I did not really understand what a union was, and I asked lots of questions. I ticked the box so that I would give up a small amount of my wages in return

for the protections that I would get as a union member, working as a casual employee in a large company. I really dread to think what the state of society would be if we did not have unions. That is not just because of all the great things that the Hon. Mark Buttigieg laid out. It is also because of the huge amount of work that unions do for social justice in this country.

I am often reminded of the situation in the '80s, when we discovered the hole in the ozone layer. There was a move through the Montreal Convention to end the use of chlorofluorocarbons [CFCs] in fridges and elsewhere, but there was a bit of delay. It was the labourers in Australia that actually led the fight to say, "No, we are not going to install fridges with CFCs, because we care about the future." That was a really powerful movement that created a simple, clever and speedy response to a social problem at the time. I dread to think what would have happened if we did not have unions back then.

I believe that a huge amount of the inaction on climate change has come from the conservatives' attack on unions and the coming together of workers across the country to collectively argue for a better existence and to not be thwarted by capitalists. The Rail, Tram and Bus Union motion was never about compulsory unionism. I personally am in favour of compulsory unionism. I do not think it is Greens policy, but I personally am in favour of it. Look at the huge gains that were made on the back of union officials and delegates fighting hard for their members. If we want that to continue, it is not okay that we have a small percentage of people paying for that and everyone else getting the gains. I support the Rail, Tram and Bus Union motion. I think that this motion is just more union bashing from the Hon. Chris Rath.

**The Hon. BOB NANVA (20:46):** I am surprised that a market purist like the Hon. Chris Rath would take such a dim view of an unremarkable proposition that deals with something economists have long grappled with in other parts of the economy—that is, free riders. I say it is unremarkable because the idea of paying a fee for a service is a pretty conventional market mechanism. Where there might otherwise be market failure, such as apartment owners in a strata scheme not wishing to contribute to the collective costs of running a building, governments uncontroversially levy owners every quarter. But for the blind spot of the Hon. Chris Rath in relation to trade unions, even he would have to agree that his position on bargaining fees is utterly divorced from economic theory and reality.

In the industrial context, bargaining is complicated, lengthy and resource intensive. The most recent rail agreements, for example, which provided pay increases and better conditions for thousands of workers, whether union members or not, took more than 60 days of full bargaining meetings involving 80 union delegates. It included 65 meetings between officials and managers. It involved 24 separate court and tribunal cases with all the associated legal costs. Yet, unlike every other private organisation in our economy, a union is barred from charging a fee for the service that it provides for the benefit of others.

Janet Jackson once said that the best things in life are free, but I say to the Hon. Chris Rath, why stop there? Let's make everything in life free, starting with Liberal Party membership. Let's open it up fee free to the masses and share the unmistakable benefits on offer at the Liberal Party: preselection rights, seats in Parliament, outstanding social events and, indeed, cost-free party fundraisers. Purely economically rational actors can get those benefits without paying. They can let their paid memberships lapse or—like the rest of us—never join to begin with. But we should not stop there.

Who could possibly turn down the "old-world, gentlemanly tradition and privilege" of the Australian Club when the Hon. Chris Rath and I succeed in our utopian mission to force all private sector entities to provide their services for free? We can all benefit—and by all, I mean men—from the Australian Club's "excellent dining facilities, ensuite bedrooms and apartment accommodation, a fully equipped gym and business centre facilities, with unparalleled views of the Botanic Gardens and North Shore" for absolutely nothing. That will never happen; nor should it. But the Opposition should stop being selective about celebrating or criticising free riders in a market economy.

**The Hon. CAMERON MURPHY (20:49):** I was very surprised to see this sort of motion coming up again from the Hon. Chris Rath.

**The Hon. Chris Rath:** It is unsurprising. It is true to form.

**The Hon. CAMERON MURPHY:** It is true to form. Every week we get a union-bashing motion from the economic purist. He would make one think that he is attempting to defend the rights of people which are being violated because they might have to pay a bargaining fee to receive the benefits hard fought for and won by the union movement. The motion is really about something different. The debate needs to be understood in the context of what the honourable member and his party actually stand for. As an economic purist, if he had his way and had control over the industrial relations system, the mover of the motion would not have a minimum wage. He would not have conditions such as annual leave, family leave and sick leave. He would create an industrial relations

system that is a race to the bottom, where the employer could just make an offer that they thought was appropriate and that would be the end of it.

We have seen exactly such a system in WorkChoices from the Federal Liberal Party under John Howard. The choice was, "Here is the offer from the employer. Take it or get the sack." That is exactly the sort of industrial relations system that is supported by members opposite. They do not believe in unions because they do not believe that workers should have the right to organise collectively and fight for conditions like annual leave and sick leave or fair pay—that keeps up with inflation—for a fair day's work. That is the context in which one must see this motion.

Almost every private members' day, the Opposition moves a union-bashing motion that is simply about a race to the bottom. Opposition members do not want to pay workers fairly or properly for what they do. They try to hide behind high-minded principles of free-market economics to say, "Oh, this is terribly wrong. This sort of thing should not happen." I support the amendment moved by the Hon. Mark Buttigieg on behalf of the Government. It is not Labor policy to do this. Make no mistake, the motion is about union bashing. If Opposition members had their way, it would be nothing more than a spiral to the bottom for workers in this State, just like the wages cap.

**The Hon. CHRIS RATH (20:52):** In reply: I thank all members who contributed to the debate. I believe in unions. I would respond to the Hon. Cameron Murphy that I believe in their right to exist. I believe in people's right to join unions. I also believe in people's right not to join unions. In this motion I am saying that I fundamentally believe in freedom of association. I am not saying that unions did not do a lot of good in the past. I know that they did. Of course they did. I accept the banking of the wins of the past. My Italian grandfather was a coalminer in Wollongong. He was dusted in the mines. I am not saying that the unions served no purpose at any point in history or that we must go back to some sort of Dickensian laissez-faire economy. I would say to the Hon. Cameron Murphy that nobody is suggesting that on this side of the House. That is not what the motion is about.

The unions have lost all relevance and nobody is joining them. Government members are unhappy that union membership has been in decline since the 1980s—a long-term decline, when it used to be at well over 50 per cent. In the private sector workforce now, union membership is down at around 8 per cent. Nobody is joining. The cash is drying up. Unions have become an irrelevant relic of the past. Yes, they did some good in the past—no-one is doubting that—but today they have essentially become an irrelevant relic. All they do is funnel money to the Labor Party, which is addicted to those donations. That is the sole purpose of unions and people are not choosing to join them. The solution from the Rail, Tram and Bus Union at the Labor conference was, "Let's make it compulsory. People aren't choosing union membership, so let's make union membership compulsory." That is essentially what members opposite are saying.

There is a Faustian pact between the Labor Party and the trade unions. The party gets the money and the affiliation fees and the workers on election day and during campaigns, but there is a Faustian pact where it then needs to live with all the problems that the unions cause. We have seen that with the CFMEU. The Labor Party is addicted to its donations and its workers on election day. There is a Faustian pact, which is why Labor Party members had to move that motion at the Labor conference. No-one is joining the damn things anymore because unions are irrelevant relics, so the Labor Party has to make it compulsory. No-one is joining. If trade unions are so good and so popular, why are they in a long-term decline and why is the Labor Party trying to make membership compulsory?

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** The Hon. Chris Rath has moved a motion, to which the Hon. Mark Buttigieg has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

## HOMELESSNESS

**The Hon. EMILY SUVAAL (20:56):** I move:

- (1) That this House notes that we have a homelessness crisis in New South Wales.
- (2) That this House acknowledges that Homelessness Week is an annual event to build community support and to fight to end homelessness.
- (3) That this House recognises that everyone deserves to be treated with dignity and respect and should continue to look at ways the homeless community and those at risk of homelessness can be supported.

It is Homelessness Week and the theme is "Homelessness Action Now". It is a stark reminder at this point in time of the severity of the housing and homelessness crisis in New South Wales. Access to safe and secure housing is a basic human right. Unfortunately, with cost-of-living issues being what they are at the moment, homelessness is a very complex situation. There is no easy solution, but the Government—and the Minister—is determined to tackle it from every angle.

In the recent budget, the Government announced \$5.1 billion to build 8,400 new public homes. A key part of the announcement is that half of those homes will be for victims fleeing domestic and family violence. Domestic and family violence is one of the main drivers of homelessness in this State. The figures are quite shocking and alarming. The Government has also recently announced new domestic violence refuges across regional New South Wales as another way to address the homelessness crisis, which is particularly acute in the regions. I commend the Minister for the new Core and Cluster refuge for Aboriginal women and children escaping domestic and family violence. I believe that was announced this week in Gunnedah.

It is a complex issue. There is no easy solution but, as I said, the Minister and the Government are determined to tackle it from every angle. We have launched our Building Homes for NSW program, which has provided a historic \$6.6 billion investment in homeless support services. That provides real teeth to allow us to start building and to work to fix the housing crisis. We are coming off a pretty low base, I have to say, but we are determined to do all we can.

We are taking a historic approach to homelessness—a housing first approach—because, as I mentioned, there are systemic issues that are causing homelessness, and we are tackling those. There was a recent \$30.4 million investment in community mental health, which we know is another driver for homelessness. People with poor mental health are over-represented in our homelessness statistics, which supports the need for more assertive outreach teams that do specialist work in making sure people do not fall through the cracks but are seen early and have the interventions in place to address their situations. They provide the wraparound support and mental health care that those people need to get them into more secure and stable forms of housing.

I spoke earlier today about Edel Quinn, a specialist homelessness provider in Wagga Wagga, and some of the stories that come from people who have used that service. As I said, everyone deserves the right to safe and secure housing. For people who come through that service, some of whom are 55 years of age, it is often the first stable home that they have had. They usually have complex histories of repeated incarceration and unstable homes, and they may have had out-of-home care as a child. The approach that we are taking in providing a more wraparound and holistic approach to addressing homelessness is truly leading the way. We acknowledge that there is much more work to do—the Minister is very forthright in acknowledging that—but Homelessness Week is an important time to come together and talk about where we have come from, what we are doing and all that we need to do ahead.

**The Hon. SUSAN CARTER (21:01):** We talk a lot about the housing crisis at the moment, but there is a different and related crisis about which we are reminded this week: homelessness. For those of us who have warm homes to go to each night, where we are hopefully welcomed by those we love, it is easy to forget the homeless. While I would hesitate to suggest that we celebrate Homelessness Week, it is a salutary reminder that homelessness is a real issue in our community and should not be forgotten. I thank the Hon. Emily Suvaal for bringing this motion to the attention of the House.

Homelessness can be tied to a lack of affordable housing, but it can also be that terrible hidden homelessness where there is a house but, for whatever reason, the house is one that cannot be lived in anymore. The issue disproportionately affects women, often those fleeing domestic violence, and our teenagers and young people. For some, the breakdown of a parental relationship means the dissolution of the home. For others, what should be a refuge from the world is actually the locus of physical or sexual abuse and, for others, homelessness is caused by mental illness, addiction or social isolation.

There are many causes but one common reality: They have nowhere to feel safe, nowhere where they can hang up the cares of the world and be embraced by the warmth of family life, and nowhere to be at home. This is not just an issue of houselessness, which can be addressed by a building program. As the great Australian philosopher Darryl Kerrigan has observed, what we all long for is not a house; it is a home. While building more houses is part of a broader solution, that alone does not address the key drivers of true homelessness—of being alone without support in the world. Government can be active in this space in important ways, especially by supporting strong families to remain what they have always been: the fundamental social unit on which all life, civil and social, depends.

All of us and our families also have a role to play in addressing homelessness. I particularly recognise all those loving foster parents who open their homes and welcome in those who need a place of safety and care, and those informal foster parents as well—the ones who find a teenager's friend sleeping over so often that they make

sure there is always an extra place laid at the dinner table. This motion calls on the House to recognise "that everyone deserves to be treated with dignity and respect and should continue to look at ways the homeless community and those at risk of homelessness can be supported." That is true but we need to go further. We need to look at the drivers of homelessness, not just in the community but in our hearts. [*Time expired.*]

**The Hon. NATASHA MACLAREN-JONES (21:05):** I acknowledge the member for bringing forward this important motion, because Homelessness Week is an opportunity for us not only to acknowledge those who are experiencing or are at risk of experiencing homelessness but also to talk about some of the things that we can do as individuals and as a government. During the dinner break a couple of hours ago, I popped down to the Matthew Talbot Hostel. I acknowledge Veronica Newman and Brett Macklin from St Vincent de Paul. Brett has been a manager there for 27 years. Obviously, he now looks more broadly at the region and the work in the district.

It was an opportunity not only to meet with them and have a chat about some of the work that they have been doing but also to look at the facility and the service they provide. Not only are they providing hostel accommodation for men who have been experiencing homelessness, they are also providing support and assistance to people living in the area, whether they are in social housing, at risk of homelessness, or sleeping rough. They provide an average of 550 meals a day. They serve breakfast and lunch to their residents as well as those in the community, and then serve dinner for their residents.

I encourage all members to take an opportunity to reach out to an organisation, whether it is a soup kitchen—StreetMed does a fantastic job—an outreach program, or even a community pantry, and actually sit down and have a chat to them. Those are organisations, along with our Specialist Homelessness Services, that are going above and beyond. It is heartbreaking to talk to people in some of those organisations. Because of a lack of funding and donations, they now do not even have tents to provide to families. One thing we have to look at is how data is being gathered. We rely heavily on some of the statistics that come through Specialist Homelessness Services, but we also need to be looking more broadly. We need to be talking about the hidden homelessness—the couch surfing and the people who are apparently house-sitting for a number of years. The fact is, they do not have a home but, on the face of it, we say that they have a roof and therefore they are not homeless. I move:

That the question be amended by inserting after paragraph (3):

- (4) That this House notes that the number of calls to Link2home have surged by 59 per cent over the past 12 months, going from 54,777 to 86,842, and the average call wait times for Link2home have significantly increased from seven minutes and 10 seconds to 38 minutes and 48 seconds, a five-fold increase in 12 months.
- (5) That this House calls on the Minns Labor Government to immediately employ additional staff members to meet the increased demand and alleviate the strain on individuals and families at risk of or experiencing homelessness and housing stress.

The fact that we have seen an increase of 30,000 calls in the past 12 months just shows the pressure that families and individuals are under. We need to increase the staff at call centres to ensure that those people are being referred on.

**Dr AMANDA COHN (21:08):** The Greens support the motion. It is clear that New South Wales is facing a housing and homelessness crisis not just in Sydney but in every corner of the State. It is a worthwhile subject for us to debate today, but it is ridiculous that in the nearly 18 months since the Minns Labor Government was elected it has put forward this motion that does not actually propose any action to fix the housing and homelessness crisis but just asks that we note it and continue to look at the ways that people can be supported. The solutions are clear: build public, social, affordable and accessible housing; make affordable housing affordable in perpetuity, and affordable as a proportion of income rather than by reference to market rent; end no-grounds evictions, which the Government finally promised to do only after my colleague the member for Newtown put forward a Greens bill to do it; cap rents; and let renters have pets so people are not forced to choose between a roof over their head and their best mate.

Instead, we are getting privatisation of new housing on public land and a one-size-fits-all planning reform that puts the interests of property developers ahead of local communities and local councils. Some nice words in this motion about people being treated with dignity and respect—which The Greens of course support—will not keep anyone sleeping in a tent, in their car or on the street warm tonight. The housing crisis is not a standalone issue. Homelessness intersects with other structural injustices relating to gender, race and age. Older women are now the fastest growing cohort of people experiencing homelessness and are one of the most asset-poor demographics. We know that over half of people seeking asylum are at imminent risk of homelessness. There is a staggering and rising number of young First Nations people experiencing homelessness.

In Sydney, people on JobSeeker are spending 137 per cent of their weekly income to live in one-bedroom apartments. On the North Coast, the twin crises of climate-induced disaster and the skyrocketing cost of living are worsening homelessness. In the 2023 street count, nearly half of all people located were sleeping rough on the North Coast. In my own community of Albury-Wodonga, it might be easy to think for a second that there is not a



homelessness crisis because it is uncommon to see people sleeping rough, but that is because people are sleeping in cars or couch surfing instead. Housing insecurity has direct and indirect impacts on health and wellbeing. Experiencing homelessness has its own damaging effects on health and mental health, and not having a stable address or phone line is a further barrier to accessing care for the people most in need of support.

Following the revelation last year that at least 589 children were turned away from specialist homelessness services over a 12-month period, the New South Wales Ombudsman reported his concern that it was impossible to tell how many people under 12 years old were seeking help. This was because the Department of Communities and Justice had failed to implement previous recommendations on monitoring and reporting despite having said that it supported them. Regarding the amendment moved by the Hon. Natasha Maclaren-Jones, we firstly must acknowledge that it was the previous Liberal-Nationals Government that got us into this mess. However, The Greens will support the amendment. Noting the recent reporting in *The Sydney Morning Herald* about the disastrous workplace culture and toxic work environments for child protection caseworkers, I am aware that this is also the experience of some Homes NSW caseworkers. For people experiencing homelessness or housing insecurity—[*Time expired.*]

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (21:11):** I thank the Hon. Emily Suvaal for bringing this motion to the House. Obviously, as has been noted on a number of occasions, all of the words that we say in this Chamber are completely irrelevant to the people who are actually experiencing homelessness. They do not care about the motions that we pass, important as they are. They care about the actions we take to do something about it. That is why it is really important to me that the Government has taken the necessary steps to turn around the deteriorating situation for those who are at the pointy end of the housing instability crisis. They need more public homes. They need us to build more social homes.

It is absolutely appalling that after 12 years of the previous Government there was actually less public housing than there was to start with. We are turning that around. We have put \$5 billion in the budget to build more homes. I cannot manifest those homes overnight—although I wish I could. We have put the money there; we have identified the sites and we are getting on with the job. Of course, it is not just the homes; it is the wraparound services too. We have also put \$100 million in the budget for the Homelessness Innovation Fund, a specific and dedicated fund of \$100 million to support those innovative services that are providing drug and alcohol intervention, trauma-informed care, mental health support and other wraparound services. Words are empty, but \$6.6 billion is action. That is what the Government has put in the budget.

The point of these motions is for members to each take a moment, in our three minutes, to say that we recognise that homelessness is not an individual failing. It is not their fault. It is a policy failing and it is a societal failing. I say this to people experiencing homelessness: We see you in your dignity and your worth. We do not just stand here in these fancy Chambers and say nice words about how much we care; we are actually accountable for doing something about it. I welcome the opportunity to be accountable in delivering the billions of dollars that the Government has put towards actually acting on this issue. That is going to take some time but the money is there, the political will is there and the recognition that the crisis is real is there. The Government acknowledges that this is not going to be solved by motions that say the right words—as important as they are to pass—but instead by actions embedded in our budget and driven by governments that really care and see this issue as one that we can solve. I give the homeless community a commitment that that is what they have in this Government.

**The Hon. EMILY SUVAAL (21:14):** In reply: I thank members for their contributions to this debate. I acknowledge the contribution of the Hon. Susan Carter, who talked about the impact of loneliness on people experiencing homelessness. They can feel like they are alone in the world, with no support. I again acknowledge the Minister for referring an inquiry into loneliness to the Social Issues Committee, which is another step. The inquiry will look at surfacing some of these issues. The honourable member also mentioned foster parents and the important work that they do. I give a shout-out to kinship parents and the work that they do in this space. While Homes NSW and caseworkers provide important supports, foster parents and kinship parents are also a really crucial part of avoiding homelessness, particularly for young people.

I am reminded of the story of Simone Biles, who was looked after by kinship parents. She was brought up by her grandparents and is certainly a remarkable success story, a remarkable athlete and a remarkable person. I acknowledge the contribution of the Hon. Natasha Maclaren-Jones, who talked about the important work that the Matthew Talbot Hostel does in assertive outreach and providing meals. I also acknowledge the contribution of Dr Amanda Cohn, who highlighted the Government's recent announcement about ending no-grounds evictions. This is a historic announcement that we have made as a Government. I reiterate the Government's announcement of a record \$5.1 billion for new social housing, which will start to turn around decades of decline.

The member also spoke about the North Coast homelessness statistics, which I know all too well. It is a really challenging situation up on the far North Coast, and I give a shout-out to the members in the other place

who look after their constituents up there. The homelessness situation up there is quite a wicked one, with what the community has been through. I also acknowledge the contribution of the Minister. Words that we say in this Chamber are completely irrelevant, particularly to homeless people. They care much more about actions. As the Minister said, these are actions. We have put money in the budget. We have identified the sites, and we are getting on with the job. Yes, we wish they would build themselves faster, but we can only do what we can do. I support the motion and the amendment.

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

**Amendment agreed to.**

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

**Motion as amended agreed to.**

*Business of the House*

### WITHDRAWAL OF BUSINESS

**The Hon. JOHN GRAHAM:** I withdraw Government business notice of motion No. 1 relating to the Government Sector Finance Amendment (Integrity Agencies and Parliament) Bill 2024.

*Bills*

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

**Returned**

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

*Documents*

### RACING NSW AND NSW POLICE FORCE

#### Production of Documents: Order

**The Hon. MARK LATHAM (21:19):** I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 August 2017 in the possession, custody or control of Racing NSW, the Minister for Police and Counter-terrorism, and Minister for the Hunter, or the NSW Police Force relating to Racing NSW and the NSW Police Force:

- (a) all documents, including ephemeral or facilitative messages, relating to requests from Racing NSW for the authorisation of telephone taps, including requests from a Racing NSW executive directly to the police commissioner;
- (b) all documents, including ephemeral or facilitative messages, relating to reports, findings or recommendations by police officers regarding, or based on, their experience working or liaising with Racing NSW integrity, investigations and stewards' processes;
- (c) all documents, including ephemeral or facilitative messages, relating to all requests or communications received from Racing NSW regarding NSW Police Force priorities for the investigation of alleged criminal acts, including the NSW Police Force responses to these requests; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Given the lateness of the hour and other pressing business, I will not take up too much of the House's time because I do not believe there is any opposition to the motion. It comes out of the detailed and important Rosehill racing inquiry. Paragraph (b) relates to documents mentioned in evidence, which need to be examined, going to problems with investigations, integrity and stewards' processes at Racing NSW. Sometimes it can be difficult to compel that organisation to produce documents under Standing Order 52. There is a grey area as to whether it is legally enforceable, but we can certainly call for papers from the NSW Police Force. My colleague the Hon. Rod Roberts has become an expert in that field, so I am following his lead to say that a document exists and must be produced under Standing Order 52.

Paragraphs (a) and (c) go to the relationship between Peter V'landys, the CEO of Racing NSW, and Mick Fuller, the former police commissioner. That has been somewhat documented with regard to racehorse ownership and adverse Law Enforcement Conduct Commission report findings against the former police commissioner.

Again, evidence has been presented to me that needs to be acted on in terms of police documentation about things that are not quite right in the relationship between Racing NSW and the NSW Police Force. I expect the support of the House for the motion, and for the documents to be furnished within 21 days.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (21:20):** I speak on the motion on behalf of the Government and the Minister for Police and Counter-terrorism. The Government will not oppose the motion. I assure the House and the member that the NSW Police Force will produce all documents required by the House.

**The Hon. DAMIEN TUDEHOPE (21:21):** The Opposition supports the motion.

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

**Motion agreed to.**

### *Motions*

#### **HYDROGEN CENTRE OF EXCELLENCE**

**The Hon. MARK BUTTIGIEG (21:22):** I move:

- (1) That this House notes that:
  - (a) on 23 July 2024, the design of the NSW Hydrogen Centre of Excellence was announced by the Minns Labor Government;
  - (b) the important training facility will make sure that plumbers and gasfitters are ready to work with hydrogen gas as part of the State's move towards renewable energy;
  - (c) the Hydrogen Centre of Excellence will be the first of its kind in New South Wales, made possible with a \$25 million investment by the Government in partnership with the Plumbing Industry Climate Action Centre, located in Glenwood;
  - (d) in the first five years after opening, the Hydrogen Centre of Excellence will be capable of training and upskilling 8,250 plumbers and gasfitters;
  - (e) the project's construction will create 500 jobs as well as 100 jobs for apprentices in Western Sydney; and
  - (f) the Minns Labor Government is actively working to prepare New South Wales for the transition to renewable energy and net zero.

In another election commitment delivered by the Minns Labor Government, it is investing \$25 million into New South Wales's first ever Hydrogen Centre of Excellence. That is great news for New South Wales. We need to ensure that our great State is prepared for the introduction of new green technologies as we increasingly need to rely on renewables. That will only be possible if we have a workforce trained in those technologies. The Hydrogen Centre of Excellence will train and upskill plumbers and gasfitters to work hands on with hydrogen technologies like electrolyzers and to learn about safety and other plumbing skills. As my motion states, the new centre will be capable of training and upskilling 8,250 plumbers and gasfitters in its first five years of operation.

The centre will allow the Plumbing Industry Climate Action Centre [PICAC] to expand training operations at its campus in Glenwood, one of its five campuses across New South Wales, Victoria and Queensland. PICAC currently offers plumbing training, with a mechanical stream and an apprenticeship program, as well as safety and fire protection courses. It also offers courses in installing medical gas pipeline systems, which is something very close to my heart. In the previous session of Parliament, I fought hard to ensure that medical gas and mechanical services work is licensed in New South Wales.

I have witnessed the excellent facilities of PICAC for training in medical gas and mechanical services work, so I am sure the new centre will be fantastic. I acknowledge the leadership of PICAC, particularly its CEO and the secretary of the World Plumbing Council, Shayne La Combre, and New South Wales operations manager Bill Guthrie. I also recognise the New South Wales plumbers union—in particular secretary Theo Samartzopolous—as well as the National Fire Industry Association, which are stakeholders in PICAC. I recognise the registered training organisations that work with PICAC—the Service Trades College Australia, CEPUTEC and Fire Industry Training. Considering there is a skills shortage in New South Wales in a number of trades, including plumbing, their work could not be more critical.

Another huge win coming out of the project is the jobs it will generate in Western Sydney. The creation of 500 jobs is no small matter, and the project will offer an invaluable learning experience for the 100 apprentices who work on its construction. The Government is committed to building local industries and creating jobs for New South Wales, and the new Hydrogen Centre of Excellence project achieves just that. The centre will be instrumental in readying the State for an emerging industry. I congratulate Premier Minns, Minister Sharpe and

Minister Whan on making that exciting announcement. I look forward to checking out the new facilities when they open, which is expected to be around 2027.

This is an example of how important it is to get buy-in from unions with training initiatives, like the plumbing union, associated with employers who want a good industry with high standards of qualification and training, working together with the Government to deliver the jobs of the future. It is classic tripartite example of where this Government is going—good unions, good employers and the government funding to make it happen. It is a fantastic initiative.

The union's training centre has already done fantastic things with medical gas and mechanical services, and apprenticeships. It is now moving into hydrogen, which will pave the way for a renewable future. We need to get people trained up with the skills to use that gas, which will be a replacement for the old fossil fuel economy. The more people who are trained, upskilled and ready to go, the quicker we will make the transition. What better way to do it than with employers who want good, skilled, well-paid employees—and unions who want that, too—in partnership with a government that values both. It is important the House recognises this great initiative. Once again, the Minns Government has made good on an election commitment.

**Ms ABIGAIL BOYD (21:27):** I make a contribution on behalf of The Greens as spokesperson for industry, jobs and trade. We are not opposed to the motion but note that it is a motion of congratulations on having designed something that will occur at some point in the future. It raises more questions than it answers, and perhaps the mover could answer those questions in his reply. When will construction be completed?

**The Hon. Mark Buttigieg:** In 2027.

**Ms ABIGAIL BOYD:** Thank you. Maybe you could put that into *Hansard*.

**The Hon. Mark Buttigieg:** I did.

**Ms ABIGAIL BOYD:** I acknowledge that interjection—2027. I thank the member. How much will fees be for the courses? Will they be subsidised by the Government in some way, or will they be set by the industry? Has the Government conducted a skills audit of all of the jobs that will be required in renewable energy industries and what training will be required in what parts of the State? What has been done to identify workers coming out of closing coalmines and coal-fired power stations and to upskill them into renewable energy jobs? What are the existing skills of those workers, and what courses will they need to complete in order to have new jobs in renewable energy industries?

The biggest question for us is this: Why not TAFE? The Greens have lobbied for TAFE for a very long time. We are not taking away from the idea of having some sort of union and industry participation in providing the skills that workers will need. But under the previous Coalition Government we saw a real gutting of TAFE, which was once a world-class institution. We had hoped that Labor, when it got back in power, would seek to restore TAFE. We will need skills in plumbing and other related fields in order to fill jobs in renewables across the whole State, and it would seem that TAFE is the more appropriate place for the courses to be run. The question is why not? What will the Government do to ensure that there are TAFE courses for all of the workers coming out of the closing industries and going into the new industries, in order to ensure that we have not only a quick transition but also a fair and just one?

**The Hon. JACQUI MUNRO (21:30):** The Opposition will not oppose the motion. I give some additional context to the hydrogen space in New South Wales. Let us be clear: What the Labor Government announced in July, 18 months after being elected, was simply the design of the hydrogen centre. We will be waiting at least three years for the facility to be built and, presumably, operational. We have already established that the Government is all spin and no substance with announcements like this. I am not holding my breath that there will be a determined date. The Government has said it will be 2027, but who knows. We cannot trust the announcements of Ministers about when these kinds of projects will be delivered and operational.

The Government was dragged to a climate target of a 70 per cent reduction in emissions by 2035. In its own legislation it saw no reason to rush forward to net zero. In this announcement of something that will probably not be here for at least another three years, it seems nothing has changed. There is no rush to get it done, 18 months after being elected. This was an election commitment by Labor, and 18 months after it was made we are provided with a design for the centre of excellence—a photograph or picture. This comes from a hydrogen strategy that the Coalition implemented in 2021. It was nation leading. It was Australia's biggest hydrogen plan and it was about accommodating green hydrogen jobs in New South Wales, which would outstrip those in the coal industry by 2050, through a proper industry strategy that had been thought out. We understood that the hydrogen industry and strategy would contribute \$600 million to the economy by 2030.

In 2021 the Coalition announced that we would provide up to \$3 billion in grants and through waiving fees and charges for hydrogen producers, which would make the State one of the cheapest regions to produce green energy. Against a backdrop of \$3 billion announced by the Coalition, it is very difficult to see how the Government's \$25 million warrants an announcement or celebration. It is not even nation leading, as some of the media has suggested. The policy is borrowed from the Queensland Labor Government, which invested more than \$50 million in a state-of-the-art hydrogen renewable energy training facility. The Opposition does not see much to celebrate in the context of previous hydrogen strategies.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (21:33):** This is a fantastic initiative. I truly commend my colleagues the Minister for Energy, and Minister for the Environment, and the Minister for Skills, TAFE and Tertiary Education for their work on it. I will respond to two things mentioned in the course of the debate. The first is the suggestion that there has been a go-slow on the issue. I do not know what Opposition members think they are getting at after being in power for 12 years and having had the opportunity to deliver these kinds of initiatives.

They act as though it is unreasonable to take 12 months to deliver big multimillion-dollar election commitments like hydrogen centres for excellence. We cannot just draw these designs on the back of a piece of paper, submit it to the department of planning and say, "There you go, old mate. Turn that around." These are serious, big, nation-leading commitments. They take time to develop. It is absolutely outrageous to be lectured by members opposite who had 12 years and did nothing, when the Government is clearly making progress on election commitments in a way that is absolutely reasonable, sensible and appropriate.

The other thing I take issue with is the suggestion that Labor had to be dragged—I think that was the word; we can check *Hansard*—into legislating for our net zero target. That is absolute nonsense. We gave that commitment in opposition and then delivered it. The Coalition had every opportunity over 12 years to legislate its net zero target. So-called Captain Planet, who has now fled the building, never took one of those opportunities to put that commitment into law. When he was the Minister, we said to him again and again, "Put it in the law. Legislate for it." It never happened. He rejected it.

If there is opposition to doing something serious on climate change, the Hon. Jacqui Munro should not look at the Government's side of the House. She should look behind her. They are sitting on her shoulder. The National Party is the reason that Matt Kean never did anything. He could not get it through the Cabinet, with the nuclear power warriors in the National Party running interference. We said we would do it and we did. That is what delivering on an election commitment looks like. The member cannot lecture us on being dragged into it when the Coalition never did it. We took 12 months to deliver detailed designs, when the Coalition could not deliver something in 12 years. That is completely unreasonable.

**The Hon. MARK BUTTIGIEG (21:36):** In reply: I thank my colleagues Ms Abigail Boyd, the Hon. Jacqui Munro and Minister Jackson for their very thoughtful and mostly fruitful contributions. The questions in Ms Abigail Boyd's contribution were valid, and I undertake to get the member a briefing on whether a skills audit has been done in terms of the transfer to the renewables industry, the jobs of the future and where we need them. The member asked if the courses would be subsidised. I think the answer is yes, given what is happening currently with medical gas and mechanical services, but I will get back to her on that.

In the case of TAFE, it is important that we do not see this as a zero-sum game. The Government is very conscious of restoring TAFE to its former glory; in fact, Labor went to the election on that platform. The intention is not to supplant TAFE; it is to fill the gap in TAFE's capacity, of which it has been denuded over the past 10 years under previous governments. There is a gap in the ability of TAFE to provide this training. That was the case for medical gas and mechanical services; it is the same for hydrogen. We are using private providers to step into that space until we can bring TAFE up to speed. It is certainly not the intention to supplant TAFE.

The Hon. Jacqui Munro was correct that this initiative was modelled on the Queensland one. We are very proud to take exemplary projects from our interstate Labor colleagues. While we were in the wilderness in New South Wales under a conservative Liberal Government, we needed ideas from the Labor States of Victoria and Queensland, while that mob opposite gutted every institution they could get their hands on. The Government makes no apologies for taking Queensland's lead. In terms of the date, I can assure the member that there is an ambition to complete the centre by 2027 or thereabouts. If the member so desires, I am happy to take her for a tour of the facility in the near future.

When the project is completed by that date, we should all go out there. When the construction is complete perhaps the Leader of the Opposition in this House will have the grace to compliment the Government in this Chamber instead of giving us a backhand slap and saying he supports the motion. This is a great project. It is a

good initiative. It is another example of Labor acting. The Opposition talked for 10 years and then gutted skills by denuding TAFE of the capacity to provide what this Government is now providing.

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

**Motion agreed to.**

*Adjournment Debate*

## ADJOURNMENT

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

That this House do now adjourn.

## PUBLIC EDUCATION

**The Hon. PETER PRIMROSE (21:40):** This week we are celebrating New South Wales Public Education Week and the achievements of our public schools, public schoolteachers and staff, and publicly educated students. Like many in this Chamber, I am a proud recipient and graduate of the New South Wales public education system. I thank Granville South, Campbelltown North, and Campbelltown high schools for the education I received and the dedication of those teachers who provided it. I celebrate and acknowledge all the people who contribute to the educational journey of children and young people: the principals, the teachers, the office staff, and the people like my mother, who was a school cleaner.

Labor governments have always supported and promoted public education, which is clearly demonstrated today in electorates where I am the Government spokesperson: Castle Hill, Hawkesbury, Kellyville, the Northern Tablelands and Winston Hills. One of the key decisions of the current New South Wales Labor Government was the historic pay deal that effectively ensures that New South Wales schoolteachers are among the highest paid teachers in Australia. That pay deal recognises the ongoing hard work that teachers do in educating our children and young people. The pay increase is also vital for restoring the respect that the teaching profession deserves and is a critical element in attracting more teachers to this important profession.

Then there is the conversion of 16,000 temporary teaching and school-based roles to permanent positions. In my duty electorates, I have seen over 80 positions become permanent in Castle Hill, nearly 150 in Hawkesbury, over 90 in Kellyville, more than 320 in the Northern Tablelands and over 100 in Winston Hills. Given Labor's commitment to quality education being delivered regardless of location or postcode, the 320 education staff who accepted the offer of permanent employment in the Northern Tablelands electorate show how critical this policy initiative has been to delivering on that commitment. In place of the huge number of teacher vacancies that existed in the Northern Tablelands under the previous Government, this Labor initiative has helped stem the tide and is supporting high-quality primary and secondary public education for regional students.

As part of the New South Wales Government's plan to rebuild public education, the 2024-25 budget is delivering record education funding, including \$3.6 billion for new and upgraded schools in Western Sydney. Those schools will be delivered as a priority, in addition to new primary schools for Gables and Tallawong, a new high school for Schofields and Tallawong, and upgrades to Rouse Hill High School and Schofields Public School. As part of that investment, planning work is well underway to deliver a new public preschool, primary school and high school in Terry Road, Box Hill, in the Hawkesbury electorate. The Government is committed to fast-tracking the new permanent primary school for the Box Hill community and, to ensure that local families can send their children to a local public school sooner, the new primary school will open in purpose-built temporary facilities on George Street, Box Hill, in early 2025.

That targeted investment in education will ensure that growing communities get access to a world-class public education that is close to home. In Winston Hills, Kellyville and Castle Hill, we are also seeing what investment in rebuilding public education looks like. Schools in those communities are receiving much-needed upgrades after 12 years of neglect—major capital works, such as the upgrades that are currently taking place at Castle Hill Public School, Northmead Public School, Darcy Road Public School, Northmead Creative and Performing Arts High School, and Glenwood High School.

At Seven Hills High School, a new specialised vocational education and training facility has been built, providing students with skills, support and access to trades and vocational pathways. This week's celebration of public education and what it does for our communities reminds me of former Prime Minister Bob Hawke's statement that the things which are most important do not always scream the loudest. While public education does not always make the front pages, it is incredibly important to our communities right across New South Wales, and for our future.

## SYDNEY METRO CITY AND SOUTHWEST

**The Hon. NATALIE WARD (21:45):** Last week, as tens of thousands of people prepared for the metro opening, the Labor Government was busy in discussions with union bosses. As people were eagerly waiting for their cold early morning commutes to shorten and for Sydney's transport future to become a reality, the Labor Government was in the process of blowing a fairly simple exercise—opening a project on the day it said it would. Unlike those opposite, the people of Sydney are proud of Sydney Metro, a project that will allow students, workers and commuters to sleep in just that bit longer or get back to their friends and families just that bit faster.

Labor tried so hard to stop the Sydney Metro in its tracks. Labor opposed the funding structure and went to an election to delay the project while the Liberals and The Nationals were planning, funding and building it. The metro is what our hard-earned tax money paid for, and soon communities will not be able to imagine Sydney without it. I am proud of the work that our Liberal Government did to make this project and other projects a reality. We did not talk about it; we built it.

I know it has positively impacted everyone in Sydney in some way. Our Liberal Government planned, funded and built, or started delivery, on four metro lines in 12 years. The Labor Party went to elections promising to cut infrastructure and deliver nothing. It is not glamorous to follow through on your commitments, but it does take hard work. What is not work is promising an opening date and not doing all you can to keep that promise to open our metro. That is laziness and incompetence. Our State is losing out on \$40 million each week because the metro does not run. Labor may not think that matters, given the way it has been throwing our State into debt, but it matters to the Coalition on this side of the House, and it matters to everyone else.

Our State has spent a lot of money on the project and we want to reap the benefits when the Government says it will deliver it. Labor's claims have misdirected the public by saying that safety concerns are the reason for cancellation of the metro opening. However, the real issue here is not safety; it is incompetence. After all, why would a government publicly announce an opening date without safety approval? If safety were truly the priority, those concerns would have been resolved long before setting an opening date. We know because we did it on the Sydney Metro North West. We did it on NorthConnex, WestConnex and other major projects, such as hospitals, schools and roads: Make sure they are done, make sure they are planned and then announce the press conference. It speaks volumes about Labor's mismanagement and lack of foresight.

The public deserves better. They deserve to know why. They deserve to know what has happened. They deserve to know when they might get a metro. They deserve to know why Labor failed to address these safety issues in a timely manner. They deserve to know why Labor's delay resulted in a huge waste of resources and an erosion of public confidence in the Government's ability to deliver essential services like transport. Thankfully, Labor did not have to build it, plan it or fund it. All Labor had to do was open it. Labor needs to own up to its mistakes, fix this mess and ensure it does not let people down again.

We know that delivering infrastructure is hard. We know that because we did it. But a government should not focus on the announcement and it should not focus on the press conference; it should focus on making sure that it gets the hard yards done, making sure it is clear about the construction timelines and making sure that it gets the basic things like safety done on time and on budget. The former Government did that early with NorthConnex and other major projects. I am proud of our history as a Liberal-Nationals government and I am proud that the metro will be opening at some point. I feel for those poor people in blue T-shirts that say, "Ask me about the metro," standing outside metro stations. I have asked them when it will open but they do not seem to know. I look forward to the day it does open so that we can celebrate the great achievement of the Coalition Government.

## RAIL SAFETY

**The Hon. BOB NANVA (21:49):** This week I am supporting a cause that has been close to my heart since my time as a union official: rail safety. On my lapel this evening is the ribbon for Rail Safety Week, which is an annual initiative organised by the TrackSAFE Foundation. Keeping safe around trains requires an awareness of surroundings, whether light rail tracks, suburban platforms, freight or heritage trains or the 23,000-odd level crossings that exist around the country. There are over 1,000 near hits on the Australian rail network every year and an average of 84 fatalities, many of which go unreported in the media. Those numbers are far too high despite the best efforts of many to drive them down.

As former National Secretary of the Rail, Tram and Bus Union [RTBU], I saw far too often the extraordinary pain that radiated from a fatal accident on our rail network. A fatality can happen on any day and on any part of the network to a passenger, a bystander or a rail worker. Every fatal incident is the end of someone's world and the beginning of a traumatic journey for everyone around them, whether that is families, friends, communities or workers. They are all impacted in unimaginable ways. It is easy to forget that when incidents do

occur on our railways, the first responders are not necessarily emergency services but railway and tram workers. Guards, drivers and station staff often have to render immediate assistance despite also being immediately impacted themselves physically or mentally.

Sometimes those workers have received training in first aid and resilience, but in most cases they are responding to events they could not have possibly trained for or foreseen when they began their journeys in the industry. I have seen the toll that kind of trauma can take on people and, unfortunately, many workers leave a job they love and the industry for good because of the incidents they were witness to. Here in New South Wales, we were recently reminded of how quickly things can go wrong on a suburban station platform after the horrific incident at Carlton train station in July. In a scenario almost too difficult to contemplate, a father jumped onto the tracks to save his two young daughters from an approaching train. Tragically, his actions cost him his life, and he was unable to save one of his daughters. In the immediate aftermath, many rushed to help—in particular, the workers there that day.

It is a reminder that the effects of such incidents are profound. They shake communities, shatter families and linger with everyone who was there. That is why the TrackSAFE Foundation, and the RTBU in particular, never stop thinking about the safety of the public and its members, because things truly do stand still when news arrives about the loss of another life. Before concluding, it would be remiss of me if I did not note the work of the former New South Wales branch secretary of the RTBU, Alex Claassens, and former National Secretary Mark Diamond in this space, both of whom have been indefatigable advocates for rail workers in New South Wales and Australia. While Alex will continue his great work at the RTBU as the new national secretary, Mark has moved on to a career in law. I have no doubt he will bring the same tenacity to his legal career as he did, in a way I never could, as National Secretary of the RTBU. They are exceptional unionists, both with a steely pragmatism and a track record at mobilising members when it was required to get fairer outcomes.

Finally, I take a moment to acknowledge the incoming New South Wales branch secretary of the RTBU, Toby Warnes. It is a truly humbling experience to be entrusted by thousands of workers to protect and advance their interests, particularly when those interests include their safety at work or the freedom that comes from having a fair and secure livelihood. I know Toby will vigorously advance those interests, including, if he must, by being a critical friend of the ALP or the Government. I know that he will bring a strategic approach when he does so. I wish him well in what can be an incredibly stressful job, but also one of the most rewarding.

## PAYROLL TAX

**The Hon. JOHN RUDDICK (21:54):** I draw attention to a serious but stealth issue that has emerged regarding payroll tax in New South Wales. Payroll tax is a tax on jobs. As soon as a growing business pays more than \$1.2 million in wages, the Government swoops in and demands 5.45 per cent of the entire wages bill. Payroll tax is 29 per cent of all New South Wales taxes and duties and has just overtaken stamp duty as the largest New South Wales tax. Payroll tax does have the benefit of being a flat tax but, since we also have Federal income tax, we are double-taxing hard workers.

What has escaped the attention of almost all bar those impacted is that the reach of payroll tax is expanding, not via legislation, which could be debated, but by court rulings that are anti-employer, anti-jobs and pro-State supremacy. Many industries recently found themselves subject to payroll tax for the first time, and it is harming many of them and costing jobs. I should disclose that one industry that is impacted is mortgage broking, in which I have a minor shareholding. In 1998 the employment agency [EA] provisions were introduced into the now defunct Payroll Tax Act 1971 and then re-enacted with the replacement legislation, the Payroll Tax Act 2007. The EA provisions were broadly understood to have been introduced with the intention to levy payroll tax on labour hire businesses only, and that was probably fair enough.

However, recent court interpretations have resulted in payroll tax being levied on many businesses not originally intended to be targeted by the Payroll Tax Act. A recent case in the New South Wales Court of Appeal related to an entity called Integrated Trolley Management Pty Ltd. It resulted in the movement of payroll tax liabilities of some businesses to other businesses that cannot be said, in any sense, to be the employer of the underlying workers. As a result, Integrated Trolley Management, after over 20 years of operation, has gone into administration. Many other job-generating businesses have also found themselves slugged by payroll tax, which means they now employ fewer staff. To remedy this unfolding crisis, there should be a legislative amendment of the definition of "employment agency contract". The current legislation defines an employment agency contract under section 37 of the Payroll Tax Act, which states:

- (1) For the purposes of this Act, an employment agency contract is a contract, whether formal or informal and whether express or implied, under which a person (an employment agent) procures the services of another person (a service provider) for a client of the employment agent.



- (2) However, a contract is not an employment agency contract for the purposes of this Act if it is, or results in the creation of, a contract of employment between the service provider and the client.
- (3) In this section—  
*contract* includes agreement, arrangement and undertaking.

Based upon the court's recent broad interpretation, these provisions are way beyond their intended application of labour hire businesses and are capturing any business that undertakes a service for another business where the purported agent is undertaking work for the client and there is a degree of regularity and continuity to the work. The employment agency provisions are applying outside their intended scope and should be amended to limit their application to "wages paid to persons who are, for all intents and purposes, performing duties similar to those of employees". The unintended application of the EA provisions could be remedied with the inclusion of new subsection (2) (a) in section 37 of the Payroll Tax Act. If the amendment passed, the section would read:

However, a contract is not an employment agency contract if the contract provides for the provision of results for the client rather than a simple supply of labour to work in and for the business of the client.

Based on advice from the Parliamentary Counsel's Office, that would constitute an appropriations bill, so the amendment would need to be moved by either a Minister or a member of the other place. I urge the Treasurer and the finance Minister to make this urgently needed legislative change. If they do not, more New South Wales businesses will fail, government revenue will decline and unemployment will rise.

### REX AIRLINES

**The Hon. SAM FARRAWAY (21:58):** Tonight I speak about the importance of regional aviation and Regional Express Airlines. Rex Airlines provides a crucial service to regional New South Wales, and there is a role for the New South Wales Labor Government to play in ensuring that work is happening with the Commonwealth Government. It was disappointing to hear answers during question time today about the approach from the New South Wales Labor Government. If, as the Treasurer said, the administrators are allowed to deal with this with no government intervention, we will see the same thing that happened in the past when Virgin entered administration. It hived off its regional arm, sold the Turboprop fleet and no longer flies to most regional ports around the State and country. Bonza also went into administration and its services no longer exist.

There is a clear need for government intervention to ensure that Regional Express Airlines continues to operate beyond what the administrators find. Rex Airlines was once Hazelton Airlines, which was formed by the Hazelton family in Cudal in the Central West, and Kendell Airlines, which was formed in the south of the State. Those once proud regional airlines became Rex Airlines in 2002 and have fantastic origins in this State. They have employed many people. Their long history of service to regional towns, cities and communities cannot be forgotten. It is worth noting that Rex Airlines is the largest independent regional airline in the country, operating across 56 destinations and moving 2½ million passengers annually. A lot of that is directly driven around its regional operations.

It is important that both the State and Federal governments work on this. They must guarantee that regional Australians will not be cut off or left disadvantaged by the airline possibly falling over. We cannot have a third airline enter administration and the loss of those regional services across the State. It is worth noting, and it was discussed in the Chamber today, that there are many different destinations and ports in regional New South Wales that are only serviced by Regional Express Airlines. In my home area of the Central West, Parkes is only serviced by Regional Express Airlines. Moruya on the South Coast is only serviced by Regional Express Airlines. If we lose the airline and those regional services, it will be a devastating blow to those communities, their connectivity and the ability to get vital cargo and services—in particular, practising and visiting medical GPs and specialists—into those regions.

Air is one of the three main forms of travel—air, road or rail—and an airport in a regional city is a gateway to get people into the region. It is the same as a highway. Many associated industries across regional New South Wales rely on regional air travel. It is important that we do not allow Rex Airlines to fall over. The Federal Government intervened in the past with Virgin. The Queensland Government has intervened in the past when needed. There is a role for the New South Wales Government to play, working with the Commonwealth Government, to ensure that air services across regional New South Wales are not lost and that the hundreds of people who work in airports across regional New South Wales to service the airline continue to have jobs. In particular, the Government must ensure that regional economies across the State are not hampered, set back or cut off from air travel with no viable alternative in place. I urge the New South Wales Labor Government to work with the Commonwealth Government to find a solution as soon as possible.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 22:03 until Thursday 8 August 2024 at 10:00.**