

LEGISLATIVE COUNCIL

Wednesday 14 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.

Announcements

LEGISLATIVE COUNCIL BICENTENARY CONCERT SERIES

The PRESIDENT (10:01): I advise members that today, from 12.45 p.m. to 1.30 p.m., performances by Musica Viva musicians will take place in the Fountain Court as part of our special Bicentenary Concert Series. Musica Viva is the world's largest platform for chamber music, one of Australia's largest providers of music education in schools and a champion for Australian composers and emerging artistic talent. Today we will hear a selection of pieces from a New South Wales based octet and a quartet, which are two of the finalists in Musica Viva's extraordinary Strike A Chord national chamber orchestra competition. We will also be treated to performances by solo violinist Beatrice Columbus, who is now in her final year of study at the Sydney Conservatorium of Music. In this bicentenary year, the series invites everyone at New South Wales Parliament to reflect on our past, celebrate our progress and imagine our future. I look forward to seeing members there.

Visitors

VISITORS

The PRESIDENT: I welcome students from Precious Blood Secondary School in Hong Kong to the gallery. It was my absolute privilege to have breakfast with them this morning, and they are all very welcome here indeed.

Sessional Orders

EXPIRY OF PRIVATE MEMBERS' NOTICES OF MOTIONS

The Hon. PENNY SHARPE: I move:

That, during the current session, Standing Order 195 (1) be varied to read:

- (1) A private members' business notice of motion that has remained on the *Notice Paper* for 13 sitting days without being moved will be removed from the *Notice Paper*.

Motion agreed to.

GIVING OF NOTICES

The Hon. PENNY SHARPE: I move:

That, during the current session, Standing Order 75 be varied to read:

- (1) A member may give notice of a motion to initiate a subject for discussion by:
 - (a) handing a signed written copy to the Clerks-at-the-Table by the conclusion of the giving of notices of motions during formalities; and
 - (b) submitting the notice electronically to the Clerks.
- (2) During the giving of notices of motions during formalities, members may also:
 - (a) read not more than three notices of motions; and
 - (b) give a summary of the intent of any other notices.
- (3) Lengthy notices need not be read, provided a summary of the intent of the notice is indicated to the House.
- (4) Notices of motions must be in the English language but where not practicable they must be accompanied by a translation in English, certified to be correct by the member giving notice. Such notices will be published in the *Notice Paper* in English.
- (5) The Clerk will enter notices of motions on the *Notice Paper* in the order they are given.
- (6) A member may give notice of a motion for any other member not present. The names of both members are placed on the notice.

- (7) A member may give notice of a motion co-sponsoreded by other members whose names are placed on the notice and recorded in the *Notice Paper*.
- (8) A notice of motion not given before the conclusion of the giving of notices of motions during formalities may only be given by leave of the House.
- (9) A notice of motion may not be set down for a day later than four weeks from the day of giving notice.
- (10) A notice which is contrary to these standing orders or practice will be amended before it appears on the *Notice Paper*.

Motion agreed to.

RULES OF DEBATE

The Hon. PENNY SHARPE: I move:

That, during the current session, Standing Order 96 (3) be varied to read:

- (3) A member may not use offensive or discriminatory words against either House of the Legislature, or any member of either House, and all imputations of improper motives and all personal reflections on either House, members or officers will be considered disorderly.

Motion agreed to.

Motions

TRIBUTE TO GEOFF SELIG

The Hon. CHRIS RATH (10:04): Co-sponsored by the Hon. Jacqui Munro: I move:

- (1) That this House acknowledges the tragic passing of Mr Geoff Selig.
- (2) That this House notes that:
 - (a) Geoff had an esteemed career in business as the executive chairman of the IVE Group, an industry leader in marketing and print communications;
 - (b) Geoff was committed to public service, contributing to philanthropic and charitable efforts, including his time on the boards of the Heart Foundation, the Pinnacle Foundation and the Lysicrates Foundation;
 - (c) Geoff was the State president of the New South Wales Liberal Party from 18 May 2005 to 31 May 2008, and sought to implement meaningful reforms to empower members of the party;
 - (d) Geoff was a long-time member of the Potts Point/Elizabeth Bay branch of the Liberal Party and contributed greatly to mentoring MPs, secretariat staff and campaign professionals; and
 - (e) Geoff was a consistent and active supporter of New South Wales Liberal Pride and the Liberal LGBTQI+ community.
- (3) That this House sends its sincere condolences to those that knew Geoff, especially his family, and recognises his selfless devotion to his work and to those around him.

Motion agreed to.

WHEELCHAIR ACCESSIBLE TAXIS

Ms CATE FAEHRMANN (10:04): I move:

- (1) That this House notes that:
 - (a) there is a lack of wheelchair accessible taxis available in New South Wales, with a 23 per cent drop between March 2023 and March 2024;
 - (b) of the 6,555 taxi licences in New South Wales, only 754 are wheelchair accessible and less than half of these are based in non-metro areas;
 - (c) according to data obtained by the Physical Disability Council of NSW, 70 per cent of the wheelchair accessible taxi trips booked through the official online platform, Wheelchair Book and Ride, did not result in a completed trip;
 - (d) after surveying members in 2023 about their experiences with wheelchair accessible taxis, the Physical Disability Council of NSW found that 25 per cent of respondents reported waiting over two hours for a booked taxi to arrive; and
 - (e) for many people with disabilities, taxis are an essential form of point to point transport to get to important medical appointments, employment and social occasions and some rely exclusively on wheelchair accessible taxis, particularly in rural and regional areas where there are minimal alternative public transport options.
- (2) That this House further notes that the incentive payment to wheelchair taxi drivers when they carry passengers in wheelchairs using the Taxi Transport Subsidy Scheme has not been increased since 1 July 2016.
- (3) That this House calls on the Government to recognise the need to increase the financial incentive for drivers to obtain wheelchair accessible taxi licences and work with the disability sector and point to point industry to increase the amount of wheelchair accessible taxis in New South Wales.

Motion agreed to.**DOMESTIC VIOLENCE DEATH REVIEW TEAM REPORT 2021-2023****Ms ABIGAIL BOYD (10:05): I move:**

- (1) That this House notes that the *Domestic Violence Death Review Team Report 2021-2023* was tabled in Parliament on 8 August 2024, containing data and analysis of domestic-violence-context homicides (domestic homicides) in New South Wales between 1 July 2000 and 30 June 2022, which was the review period, and included the following findings:
 - (a) 550 homicides, being 30 per cent of all homicides during the 22-year review period, were domestic homicides;
 - (b) 56 per cent of domestic homicides involved a person killing their current or former intimate partner (intimate partner homicides) and of those intimate partner homicides:
 - (i) 79.2 per cent involved men killing women and, of those men, 98.4 per cent were also the predominant domestic violence abuser in the relationship prior to the homicide;
 - (ii) of the 18.2 per cent of intimate partner homicides involving a woman killing a man, 82.1 per cent of the women were the predominant domestic violence victim in the relationship prior to the homicide;
 - (iii) 65.6 per cent of women were killed by either their ex-partner or at the point of separation from their male partner;
 - (iv) where there were children in the family, the intimate partner homicide was preceded by children experiencing domestic violence, either by being directly abused or by experiencing the domestic violence of their parents;
 - (v) in 72 per cent of intimate partner homicides, the male predominant abusers had used at least three types of domestic violence against their female partner during the relationship prior to homicide, including emotional or psychological violence, physical violence, sexual violence, economic violence and stalking;
 - (vi) in 74.5 per cent of the intimate partner homicides that occurred after separation, the male predominant abuser had stalked their former female partner prior to the homicide;
 - (vii) in 46.5 per cent of cases, the man's history of violence against his partner had not been reported to police; and
 - (viii) of the men who had prior relationships, 55.8 per cent were known to have perpetrated domestic violence against at least one other female partner.
 - (c) a further 8.9 per cent of domestic homicides were connected to intimate partner violence but involved a woman's ex-partner killing her new (or perceived new) male intimate partner;
 - (d) 17.5 per cent of domestic homicides during the review period involved parents killing children, with 39.6 per cent of victims being aged one year or less, and in all cases the homicide was preceded by a history of domestic violence directed against the child and/or the child had experienced intimate partner violence between their parents; and
 - (e) 17.1 per cent of domestic homicides during the review period were relative/kin homicides, with 82.2 per cent involving male offenders and 46.8 per cent being parents killed by their son.
- (2) That this House further notes that the Domestic Violence Death Review Team in its report highlighted the following:
 - (a) men were significantly overrepresented as domestic violence homicide offenders, including as the perpetrators of fatal violence against their children, their relatives and the new (or perceived new) intimate partners of their former partner;
 - (b) the vast majority of women domestic violence homicide offenders were the predominant victims of domestic violence prior to the homicide, regardless of whether the homicide involved the woman killing an intimate partner, a child or other relative;
 - (c) the findings reinforce other research findings that identify actual or intended separation as one of the key high-risk indicators for domestic family violence homicide, including men killing their former partner, their child or their former partner's new (or perceived new) partner;
 - (d) the prevalence of stalking prior to a man murdering his former partner has increased over time, with almost 75 per cent of men stalking the female victim prior to the homicide;
 - (e) a significant proportion of both victims and abusers had mental health or alcohol and drug issues and that, while mental health and alcohol and drug issues do not cause domestic violence, these issues create particular barriers to accessing services and impact victims' experiences of violence and risk;
 - (f) there was a relatively high percentage of women domestic violence homicide offenders who were also the primary domestic violence victim in the relationship living in regional or remote communities, highlighting the additional barriers faced by women accessing support outside a major city; and
 - (g) while the proportion of people killed who identify as Aboriginal and Torres Strait Islander has steadily increased over time, the proportion of domestic violence homicide offenders is increasingly non-Indigenous, particularly in the case of intimate partner homicides, and there are a range of complex issues that impede the effective intervention and prevention of violence in First Nations families and communities, including poor or discriminatory practices by frontline responders, barriers to accessing appropriate and culturally safe support services, and misidentification of Aboriginal women as domestic violence abusers, along with problematic racist attitudes by responders regarding how "real" victims should behave.

- (3) That this House commends the Domestic Violence Death Review Team for its detailed and considered work and calls on the Government to use these findings to implement targeted and adequately funded evidence-based prevention, response and recovery services and programs for communities across the State.

Motion agreed to.

JAPAN CONSUL-GENERAL

The Hon. ROD ROBERTS (10:06): I move:

- (1) That this House notes the strong and enduring relationship between the State of New South Wales and the Government and people of Japan.
- (2) That this House further notes that:
- (a) during his appointment to the New South Wales Consulate-General of Japan, Mr Shuichi Tokuda has been instrumental in maintaining and enhancing this important relationship;
 - (b) Mr Tokuda's last day of service in New South Wales will be Wednesday 14 August 2024; and
 - (c) on the evening of Monday 12 August 2024 a farewell reception was held at the Consul-General's residence in Bellevue Hill, attended by the Hon. Rod Roberts, MLC, in his capacity as the Deputy President of the Legislative Council, the Hon. Greg Piper, MP, as the Speaker of the Legislative Assembly, Minister Anoulack Chanthivong in his capacity as Minister for Better Regulation and Fair Trading, Minister for Industry and Trade, Minister for Innovation, Science and Technology, Minister for Building, and Minister for Corrections, representing the Premier, and the Hon. David Harris, MP, Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast.
- (3) That this House wishes Mr Tokuda and his wife safe travels and every success for his next appointment in Moscow.

Motion agreed to.

Documents

GREYHOUND WELFARE

Tabling of Report of Independent Legal Arbiter

The Hon. EMMA HURST: I move:

- (1) That the report of the Independent Legal Arbiter entitled *Disputed Claim of Privilege—Greyhound Welfare*, dated Friday 9 August 2024, together with a submission, be laid upon the table by the Clerk.
- (2) That, on tabling, the report and submission are authorised to be published.

Motion agreed to.

Motions

CAPTAIN COOK MEMORIAL AND LIGHTHOUSE

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

- (1) That this House acknowledges the 16 July 2024 opening of the upgrade to the Captain Cook Memorial and Lighthouse at Point Danger on the New South Wales and Queensland border.
- (2) That this House notes the \$6.5 million upgrade stands the lighthouse ready to serve as a beacon to mariners for decades to come.
- (3) That this House recognises that the iconic lighthouse is a significant landmark for the Tweed Shire Council.
- (4) That this House notes that the site has significant cultural heritage for Indigenous Australians, with artwork illustrating its significance embedded in the stonework of the lighthouse as part of the upgrade.
- (5) That this House congratulates the Tweed Shire Council on its role in the completion of the upgrade, which not only accommodates the Marine Rescue NSW operations centre at Point Danger but also has a cafe, gallery and toilet facilities.
- (6) That this House acknowledges the Marine Rescue NSW Point Danger facility logged 27,763 crossings of the Tweed River bar and undertook 176 rescues, saving 318 people on the water, over 2024.
- (7) That this House notes the facility was first opened in April 1971 as a joint venture between the Tweed Shire Council and the City of Gold Coast.

Motion agreed to.

ARMIDALE EZIDI REFUGEES

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

- (1) That this House acknowledges the tenth anniversary of the massacre of thousands of the Ezidi people in Iraq.
- (2) That this House notes that:

- (a) August 2014 marks the assault by ISIS terrorists on the Ezidi community in northern Iraq, during which they sought to destroy these people and their culture;
 - (b) on 3 August 2014, ISIS terrorists overran the city of Sinjar in northern Iraq, which had a population of some 90,000 people, who were mostly Ezidi; and
 - (c) Ezidis were long discriminated against in Iraq because of their religion, and the massacre was the worst wrought upon the Kurdish-speaking people, prompting thousands to seek asylum.
- (3) That this House further notes that:
- (a) hundreds of Ezidi families began settling in Armidale, Coffs Harbour and Wagga Wagga in New South Wales and Toowoomba in Queensland around 2017 as part of the Australian Government's humanitarian scheme;
 - (b) Armidale welcomed more than 650 Ezidi refugees as one of the first new regional refugee settlement locations;
 - (c) despite early concerns that local services would not cope, Settlement Services International delivered culturally responsive training to service providers and established a network of local charities and services to support the newcomers; and
 - (d) since that time the Ezidi settlement has brought greater cultural diversity, a broadening of views and many other benefits for business, farming and the economy alike to Armidale and its surrounds.
- (4) That this House congratulates Armidale for bucking the image of being close-knit and conservative and successfully embracing the resettlement program.
- (5) That this House further acknowledges the NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors has been instrumental in providing culturally specific counselling and therapy to Ezidis in Armidale since their arrival.

Motion agreed to.

PARIS OLYMPIC GAMES

Dr AMANDA COHN (10:08): I move:

- (1) That this House notes that:
 - (a) the Australian Olympic team in Paris has finished with its best ever performance of 18 gold medals, 53 medals total, fourth place on the international medal tally and third place when only considering medals won by women;
 - (b) for the first time in Olympic history, a roughly equal number of male and female athletes competed in the games; and
 - (c) the most significant spikes in network activity during the Olympics occurred during the women's 200 metres freestyle race won by Mollie O'Callaghan, the canoe slalom final won by Jess Fox and the women's 4 x 200 metres freestyle relay final won by the Australian team.
- (2) That this House congratulates and thanks the Australian Olympic team for their success and representation.
- (3) That this House acknowledges the tremendous interest in women's sport at the Paris Olympics that communities across New South Wales have demonstrated.
- (4) That this House notes that success by women sporting stars has a tangible effect on community sport, highlighted recently following the Women's FIFA World Cup leading to registrations of women and girls at football clubs across the State increasing by 18 per cent from the previous season, with the biggest boost coming in the junior girls age bracket.
- (5) That this House calls on the Government to commit to further initiatives to improve access and remove barriers to participation in sport, including equal prize money, equal pay and equal conditions for women in any programs or events that receive government support.

Motion agreed to.

CENTRAL WEST FLOODS VOLUNTEER AWARDS

The Hon. STEPHEN LAWRENCE (10:08): I move:

- (1) That this House notes that:
 - (a) on 3 August 2024 the State Emergency Service [SES] held an event in Orange to present awards to volunteers who responded to the devastating 2022 floods in the Central West;
 - (b) the recipients of the awards included members from the Canowindra, Eugowra, Molong and Orange city units as well as members from CareFlight, LifeFlight, Kestrel Aviation, Coulson Aviation, NSW National Parks and Wildlife Service, NSW Police Force and NSW Rural Fire Service who were recognised for their outstanding service at a time of cataclysmic flood and destruction;
 - (c) official attendees at the event included:
 - (i) the Hon. Stephen Lawrence, MLC, representing the Hon. Jihad Dib, MP, Minister for Customer Service and Digital Government, Minister for Emergency Services, and Minister for Youth Justice;
 - (ii) the Hon. Andrew Gee, MP, Independent Federal member for Calare;

- (iii) Mr Philip Donato, MP, member for Orange;
 - (iv) Assistant Commissioner Rod Smith, APM, Acting Western Region Commander, NSW Police Force;
 - (v) Inspector Jodi Stewart, Western Region Staff Officer, NSW Police Force;
 - (vi) Councillor Kevin Beatty, Mayor, Cabonne Council;
 - (vii) Councillor Jamie Jones, Deputy Mayor, Cabonne Council;
 - (viii) Councillor Tammy Greenhalgh, Cabonne Council;
 - (ix) Mr Brad Byrnes, General Manager, Carbone Council;
 - (x) Chief Superintendent Nick Medianik, NSW Rural Fire Service, representing Commissioner Rogers;
 - (xi) Chief Superintendent Lauren Mansell, NSW Ambulance;
 - (xii) Superintendent Andrew DeGabriel, NSW Ambulance;
 - (xiii) Acting Deputy Commissioner Sean Kearns, NSW SES;
 - (xiv) Acting Assistant Commissioner Greg Swindells, NSW SES;
 - (xv) Chief Superintendent, Brigid Rice, Western Zone, NSW SES;
 - (xvi) Superintendent Colin Jones, Western Zone, NSW SES;
 - (xvii) Superintendent Annabelle Watson, Western Zone, NSW SES; and
 - (xviii) Inspector Rob Stevens, Western Zone, NSW SES.
- (d) a number of attendees received the Commissioner's Commendation for Courage, the highest award in the SES award hierarchy:
- (i) Mr Gregory Agustin;
 - (ii) Ms Mareea Agustin;
 - (iii) Mr John Agustin;
 - (iv) Mr Nicholas Brown;
 - (v) Mr Joshua Granger;
 - (vi) Ms Grace Langlands;
 - (vii) Mr Oscar Meek;
 - (viii) Ms Natalie McFarlane;
 - (ix) Mr Zac Schneider; and
 - (x) Mr Timothy Thornton.
- (e) the award ceremony was extremely well attended and involved sometimes-harrowing accounts of the devastating floods and the service rendered by many that saved lives and property;
- (f) in 2022 the Central West faced one of its most severe floods in history, with homes and properties submerged, livelihoods threatened, and lives at risk;
- (g) amidst these overwhelming conditions, countless individuals stepped forward to assist their neighbours, friends, and even strangers, with their selfless actions turning a crisis into a testament to human strength and solidarity;
- (h) this event was part of one of the largest ongoing flood operations in New South Wales' history; and
- (i) in Eugowra alone, more than 700 residents were evacuated and 200 homes were severely impacted.
- (2) That this House expresses its appreciation for all award recipients and to all those who played a role in safeguarding our Central West community during the devastating floods.
- (3) That this House recognises and celebrates the incredible bravery demonstrated during these catastrophic floods that struck Eugowra and surrounding towns.

Motion agreed to.

Committees

REGULATION COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES: I table a report of the Regulation Committee entitled *Delegated Legislation Monitor No. 8 of 2024*, dated 14 August 2024.

*Documents***GREYHOUND WELFARE****Report of Independent Legal Arbiter**

The CLERK: I table a report of the Independent Legal Arbiter entitled *Disputed Claim of Privilege - Greyhound Welfare*, dated Friday 9 August 2024, together with a submission.

*Bills***REGIONAL DEVELOPMENT AMENDMENT BILL 2024****RETAIL TRADING AMENDMENT (ANZAC DAY TRADING HOURS) BILL 2024****First Reading**

Bills received from the Legislative Assembly.

Leave granted for procedural matters to be dealt with on one motion without formality.

The Hon. PENNY SHARPE: I move:

That the bills be read a first time and published, standing orders be suspended according to sessional order for remaining stages and the second readings of the bills be set down as orders of the day for the next sitting day.

Motion agreed to.

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

Statements of public interest tabled.

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

The Hon. PENNY SHARPE: I postpone business of the House notices of motions Nos 3 and 5 until the next sitting day.

*Documents***ROAD AND TRANSPORT REVIEWS****Production of Documents: Order**

The Hon. NATALIE WARD (10:17): 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 25 March 2023 in the possession, custody or control of the Premier, the Minister for Transport, the Treasurer, the Minister for Regional Transport and Roads, the 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, Transport for NSW, Sydney Metro, Sydney Trains, the Premier's Department, the Cabinet Office, Treasury or Infrastructure NSW relating to government-initiated transport and roads reviews:

- (a) all documents, including communications, drafts, presentations and attachments, relating to the preparation, announcement and implementation of the following reviews:
 - (i) Bus Industry Taskforce;
 - (ii) Sydney Trains Review;
 - (iii) Sydney Metro Review;
 - (iv) Independent Toll Review; and
 - (v) Strategic Infrastructure Review.
- (b) all briefs, including drafts and attachments, 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 preparation, announcement and implementation of the following reviews:
 - (i) Bus Industry Taskforce;
 - (ii) Sydney Trains Review;
 - (iii) Sydney Metro Review;
 - (iv) Independent Toll Review; and
 - (v) Strategic Infrastructure Review.

- (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.

The fact that there has been so much lobbying against this motion under Standing Order 52 is indicative, yet again, of the Government's lack of accountability and transparency. Labor members were very keen to talk about these topics when they were in opposition. This is the House of review and, in particular, the House of reviewing government reviews. This Government loved a review when it first got in. There were lots of press conferences and announcements about lots of problems, but now it has gone quiet. Why has it gone quiet? Who knows? That is what we are looking for answers on. We are looking for information about what taxpayers' dollars have been spent on in these reviews that were undertaken with so much fanfare.

Here are some facts for the House to consider. There have been 12 reports and 232 recommendations for action by the Government. Taxpayers have paid for these reviews. On my count, the Government has done at least 14 or 15 press conferences on these reviews. There have been lots of announcements, with much fanfare, not to mention millions of dollars spent to pay people to do these reviews. There have been lots of headlines, but not a lot of delivery or new funding. In relation to each of the specific reviews listed, the relevant industry has told me they have concerns. They came to the table, worked with the Government, but are not hearing anything further about the implementation of recommendations. These five reviews go to the heart of what I am hearing on the ground—that people have worked with this Government that is now almost two years in, and they are not seeing it do anything to implement the recommendations or indicate that it will not be implementing them. The industry has no certainty.

This motion under Standing Order 52 enables the public and the Parliament to understand what happened in these reviews, what role the Government played in the recommendations and in drafting policy and, importantly, what is happening with the recommendations. We have asked questions. We have sought information, but it has not been forthcoming. Government members call it a Government review when it suits them, and then run across Sydney and call it an independent review when that suits them. I am not sure that the public has much more patience. A lot of community stakeholders are telling me that they would like further information. We have tried to work with the Government and are not getting anything. I will go through each review. The Bus Industry Taskforce recommended \$3 billion to \$4 billion in medium-term funding for the Government to enact its recommendations, yet that was not provided for in the budget. We know there are challenges in the bus industry; we hear from the industry regularly. What has happened to the other 65 recommendations? Where is that up to? If Government members have no issue with that, they should be transparent and say, "Here is the information. This is what we are working through."

The Government launched the Sydney Trains review to much fanfare, yet train reliability has not changed. We have seen cuts in services and people being left at stations. A maintenance blitz was launched, which the Opposition supports, yet nothing is different with those trains; and it is crickets on the new intercity fleet. Those brand-new trains are sitting on the Central Coast. People cannot use them. They are still in the old Red Rattlers. I ask the Treasurer how negotiations are going with the Rail Tram and Bus Union. How will commuters find out where they can get reliable services, as he talked about with much fanfare? The Independent Toll Review is very simple. The Minister for Roads was happy to stand next to Allan Fels before he gave the Minister the recommendations. Now the recommendations are there, and we cannot understand what the Government is progressing in pursuit of so-called toll fairness and giving people in the community something to hang their hat on. The Opposition has been calling on the Government to be more transparent about what it proposes to do and what its plans are. Those calls are falling on deaf ears.

The Government announced an infrastructure review. It has cut projects and we have no insights into the reasons. What can communities expect from the review and what are the recommendations? The Government has not published the review and has not detailed the work and recommendations. We would like to understand what all those taxpayer dollars are going into. From the Sydney Metro Review, so far all we know is that Sydney Metro West was delayed for two years. Rosehill is a bit of a thought bubble and infrastructure costs are increasing. The Opposition would like to understand what is happening. The review and the Government's indecision are increasing costs on the project every month that we wait for that decision. If there are valid reasons for that, the Opposition is happy to support them, but the public deserves to know the truth about the reviews and where the work on the recommendations is at.

I touch on the definitions in the order under Standing Order 52. If passed, "all documents" captures communications regarding the reviews, which includes facilitative messages, as advised by the Procedure Office. I ask the entities affected by the resolution to provide the documents accordingly. Last week we heard that there were thousands of documents. We hear that regularly. That does not make any sense because it has not been the case. Every call for papers I have sought has resulted in valid information that the public deserves to know. I commend the motion to the House.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (10:22): The Government opposes the motion largely on the basis of the volume of documents requested. Based on advice overnight from Transport for NSW, it is expected that this will be the largest call for papers from Transport in history, by some degree. Four of the five review reports are already publicly available. The scale of what is asked for and the untargeted nature of the call for papers is the reason the Government is obliged to object to the motion.

The motion seeks documents relating to the preparation, announcement and implementation of five government-initiated transport and road reviews, and the mover has named those. The Government has published final reports in relation to three of those reviews: the Independent Toll Review, the Sydney Trains review and the Sydney Metro Review. The Government has also published interim reports of a fourth review, the Bus Industry Taskforce, and published interim reports of the Sydney Trains review, the Sydney Metro Review and the Independent Toll Review. I am advised by Transport for NSW that the final report of the Bus Industry Taskforce will be made public shortly.

In short, the reviews are by and large public. I am advised by Transport for NSW, on its best advice in the short time it has had, that, conservatively, the order as drafted would capture in the vicinity of 100,000 documents and take multiple months to complete. I accept that those assessments are inherently uncertain, but that is the assessment that has been handed to the Government. That makes sense given that the reviews contained hundreds of interviews and submissions. The reports are publicly available. So what is being sought by the Opposition? Why are public servants being asked to produce in the vicinity of 100,000 documents, when members and the public are able to read the reports and make up their own minds about them? I ask the mover to address that specific point in her reply.

The Government has responded, in part, to some of the reports. For example, Transport for NSW has published plans to move forward with the interim recommendations from the Bus Industry Taskforce and Sydney Trains has commenced responding to many of the recommendations of the final Sydney Trains review. I seek leave to table a document containing five dot points in relation to the first and eight dot points in relation to the second, outlining what has been publicly dealt with from those recommendations.

Leave granted.

Document tabled.

The Hon. JOHN GRAHAM: The Government's response to the final report of the Independent Toll Review led by Fels and Cousins will be provided by the end of 2024. Not only is the order for papers broad but it is also five orders for papers rolled into one. I seek leave to speak for an additional four minutes given the significance to the House of this call for papers.

Leave not granted.

Ms CATE FAEHRMANN (10:25): On behalf of The Greens, I support the motion of the Hon. Natalie Ward. I do not generally agree with everything the Opposition says or, indeed, everything the Opposition transport spokesperson says, but I agree with her contribution on this motion. Since the Minns Government was elected, there has been a trend of reviews, reviews and more reviews into every tricky issue, kicking the can down the road. It is not just transport. Importantly, the motion asks for documents into not only the preparation of the reviews but also their implementation. It is important for members of the public to know whether all of the inputs into the reviews have been conveyed to them. It is important that members of the public and members of this place know the motivations behind the Government's decisions in relation to trains, buses, tolls and everything that the motion covers.

The Greens have usually supported orders under Standing Order 52 in this and the previous Parliament, encouraging transparency. In fact, some Standing Order 52 orders have uncovered what the government of the day had before it when making decisions, which was incredibly enlightening and potentially changed the course of action in policy areas. The New South Wales public is incredibly frustrated about transport, including the operation of buses and trains, and it is important that we know as much as possible about the deliberations of the Government and the information it has before it. It is a difficult decision to come to. I know the scope of the order is very broad, and I have had conversations with the Minister for Roads about that. But, ultimately, we land in favour of more transparency, openness and information. The Greens support the motion.

The Hon. TAYLOR MARTIN (10:28): I attach my sentiments to those of the former speaker, Ms Cate Faehrmann. After this Government was elected last year, "review" was the most used word for months and months. Most members of this House have been very kind in giving the Government much time and room to do those reviews and then possibly implement them. In the last term, members opposite, many of whom are in the Chamber now, stood at the table in this exact spot to move orders under Standing Order 52 on just about everything

the previous Government did. At the time, they also argued that the process could be sped up by emails and electronic documents being produced in all sorts of methods. Now is the opportunity for members opposite to do what they said during the last term should happen. Every document asked for is a very important review about important pieces of infrastructure for the people of New South Wales. I support the motion.

The Hon. SCOTT FARLOW (10:29): I support the motion moved by the Hon. Natalie Ward relating to a call for papers under Standing Order 52. As the previous speaker mentioned, this is a government of review. This is a government of task forces. This is a government that likes to appoint people to review. The Government came to office with no ideas and now Government members are trying to scrounge around and find them. They have set up review after review, task force after task force. When it comes to reviews, we need to know how they came about and what is the to-and-fro between the reviewers and the Government. The motion mentions some important reviews such as the Sydney Metro Review, which pushed back the metro by two years. We have had some broad discussions about that in connection with the Rosehill racecourse inquiry. Recently we heard about how we could get a meeting with the Premier in three days to say, "Put up another metro station here if we're able to sell off a racecourse."

The Hon. Mark Latham: A meet and greet.

The Hon. SCOTT FARLOW: A meet and greet, as it is listed in the diary. But, of course, that formed part of the Sydney Metro Review. Lots of decisions have been made on the back of the reviews referred to in the motion, lots of decisions have been informed by those reviews and lots of correspondence has been written about those reviews. It is right for the Government to be transparent with the people of New South Wales by making the documents available for members of this House to examine so they can get to the bottom of how some decisions are made. There has been review after review, but many decisions are still not made. The reviews are expensive. Of course, they inform government policy. It is right for members to be able to go through the documents requested in the motion.

Perhaps we will see a Ward wing created in this place so that we can get to the bottom of how decisions are made and so that members can see that things are above board and no inappropriate pressure is being brought to bear. If the Government has nothing to hide, it should be open to laying the requested documents on the table for the benefit of all honourable members of this House. I imagine many of the documents would have privilege attached to them and would be fit only for the eyes of members of this Chamber. But that will help us to understand what is going on in the Minns Government, which is dictated by reviews and task forces. This Government has no idea other than setting out on review after review. The Hon. Natalie Ward is simply requesting to be able to get to the bottom of the Government's decisions by getting the documents for the benefit of all members of this place.

The Hon. CHRIS RATH (10:32): I support this call for papers brought before the House by the Deputy Leader of the Liberal Party. I would have more sympathy for the arguments put forward by the Deputy Leader of the Government if he had not spent four years arguing against all of the same points that he is now making when in government, and if he had not spent four years when he was in opposition arguing against points that we were making, such as the time frames for Standing Order 52 motions being extended, or the scope of such motions being too large, or the calls for papers being a burden on public servants.

There was no concern for the workload of public servants in the last term of Parliament. There was no concern for incredibly large scope Standing Order 52 motions or short time frames. None of those things seemed to matter in the last term of Parliament so I think it is incredibly fair and reasonable, now that the tables have turned—and Labor won the election; only just, but it did win—that we now have the opportunity to hold this Government to account through the same mechanisms that the previous Labor Opposition deployed against us when we were in government. Of course, every government has an opportunity when first elected to have reviews. This Government has probably had more reviews than most, such as the Bus Industry Taskforce, the Sydney Trains Review, the Sydney Metro Review, the Independent Toll Review, and the Strategic Infrastructure Review.

It is fair and reasonable that every government, when it first comes into power, wants to review certain aspects of government and come up with a policy position, but the Government has had almost 18 months, which is a long lead-in time for those reviews. The Opposition and a lot of other people want to know what the assumptions were behind those reviews, what evidence was considered and who had input. The Opposition would like to have the documents referred to in the motion. It is incredibly fair and reasonable that the House is provided with the requested documents. I do not think it is an unnecessarily broad scope or an unnecessarily short time frame of 21 days. Just as members opposite argued in the previous term of Parliament for greater accountability and transparency, we are arguing for that now that we are in opposition.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:35): Here we are again—the position taken depended on where

members sat. I point out that since coming to government we have actively provided a range of new mechanisms and tabled more documents proactively than ever occurred previously. That includes proactive disclosure and working with the crossbench and others in trying to bring things forward. The Government also has tabled the contracts of the variety of privatisations that were undertaken by the previous Liberal-Nationals Government. We provided transparency and information about the Eraring Power Station as well. The Government also declassified three summaries and material that is not Cabinet in confidence so that it can be better shared.

I accept that Opposition members have a different view, as they are absolutely entitled to do. I simply state for the record two things about this motion: For all the talk about "That's not what you said four years ago", there is an opportunity for Opposition members, having been Ministers, to understand the impact on public servants when trying to get to the bottom of information sought. They have chosen not to do that and that is a matter for them. Members opposite who previously were Ministers also made arguments relating to Standing Order 52 motions because we had a range of reasons provided and we placed them on record. I also note the lack of generosity. It is a pretty big call to block the Deputy Leader of the Government from placing on record the explanation to the House about the reasons we have concerns with this motion.

There has been more disclosure under this Government than ever before. It is disappointing that the lessons learnt when Opposition members were on the Government side of the House were not transferred when they moved over. That is fine. That is a conversation for them. I understand members opposite were frustrated about calls for papers when we were in opposition, but I would have thought a mature approach to this issue would be to perhaps reflect and try to work better. No-one wants to be providing documents that really are not necessary when there are literally thousands of them. When I was the shadow Minister for transport, there was a lesson learnt. I remember I moved a Standing Order 52 motion on buses. We ended up getting 400 boxes and I learnt a very big lesson from that. Maybe Opposition members will learn the lesson from this one.

The Hon. NATALIE WARD (10:38): In reply: I thank all honourable members for their contributions. The irony is breathtaking. Ask the Hon. Sarah Mitchell about producing hundreds of thousands of documents. The behaviour from those opposite, who are now on the Government side of this Chamber, is extraordinary. I reject completely the allegation of a lack of generosity.

The Hon. Penny Sharpe: That was in relation to blocking our ability to put it on record.

The Hon. NATALIE WARD: Can I finish, please? In every one of these Standing Order 52 motions, the Government has said, "There is nothing to see here." With Kerian Ash, we saw patently that that was not the case.

The PRESIDENT: Order! There will be no interjections and there will be no responding to interjections. The Hon. Natalie Ward has the call.

The Hon. NATALIE WARD: With each of these Standing Order 52 motions there has been a different excuse. With the first one I was asked if I would agree to tranches, which I did. I then had to agree to identify particular attachments that I wanted produced. We have been extremely generous in dealing with the Government, which is a government that talked about transparency and accountability. Labor set the pace. There is a reason it is called the Mookhey library; there were thousands of documents. Have a look in there. Government members have set the precedent. We are looking for very specific things in the reviews. The irony is breathtaking because every time there have been different excuses: "There is nothing to see here," "There are 1,000 documents," or "There are 10,000 documents on the metro delay."

Talking of past behaviour, members of this Government previously sought documents under Standing Order 52 regarding projects including the Transport Asset Holding Entity, the Beaches Link and Western Harbour Tunnel, transport and roads infrastructure, Sydney Metro, Sydney Metro Western Sydney Airport and Sydney suburban stadiums—all projects that were underway and had comprehensive work being done. My request is for documents relating to reviews of large infrastructure projects, not the actual construction planning, funding and implementation of them. It is just for reviews, which the Government has lauded. Government members have been telling everyone, with great aplomb, through press releases, media conferences and ministerial statements about how they needed to have the reviews. They have done the reviews. The Government has spent taxpayer money on them and now the taxpayers, the stakeholders, the bussies and the commuters are asking, "Where are you at? What are you doing? Give us some certainty. There was a lot of talk and a lot of money spent on the reviews so we would like to know."

The great irony is that I am requesting documents for projects that the previous Government was building. In opposition, current Government members talked about transparency and accountability but there is none to be seen now. Frankly, I am getting tired of the excuses. I have worked reasonably and diligently with the Government at every opportunity. This is the job of this House. Government members set the standard for Standing Order 52 motions while in opposition; we are merely following in their forensic footsteps and seeking to ensure that we get

answers. If there is a Ward library—trust me—I do not want to spend hours up there either, but I will find the answers for the taxpayers of New South Wales, as we have done before. I commend the motion to the House.

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

The House divided.

Ayes20
Noes17
Majority.....3

AYES

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

NOES

Buckingham	Jackson	Murphy (teller)
Buttigieg	Kaine	Nanva (teller)
D'Adam	Latham	Primrose
Donnelly	Lawrence	Sharpe
Graham	Mookhey	Suvaal
Houssos	Moriarty	

Motion agreed to.

Visitors

VISITORS

The PRESIDENT: I welcome and acknowledge Sophia Suarez, who is present in the gallery today. Sophia is currently studying at the University of Technology Sydney and will be interning in the office of Dr Amanda Cohn for the next 10 weeks. She is most welcome.

Bills

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (INDEPENDENT OFFICE OF ANIMAL WELFARE) BILL 2023

Second Reading Debate

Debate resumed from 18 October 2023.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (10:49): I speak on behalf of the Government in debate on the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023. From the outset, I acknowledge the continued efforts of Ms Abigail Boyd and her advocacy to better the outcomes of animals in New South Wales. I know that she is passionate and has been doing a lot of work in that space over the past year and beyond.

As the member would be aware, the Government has committed to the creation of an independent office of animal welfare as part of its broader commitments relating to the introduction of a new animal welfare framework in New South Wales. Those commitments are being delivered by the New South Wales Government following careful review and consultation to avoid any unintended consequences and to ensure that the Government is meeting the community's expectations. With that in mind, and because the Government's approach differs to the approach in the bill, the Government will be opposing the bill. Numerous aspects of the bill are of concern and would require further consultation.

I thank Ms Abigail Boyd for bringing the bill to the House for debate. It provides me with an opportunity to highlight the significant work that is currently being done by the New South Wales Government to ensure that animals in New South Wales are protected from those who would do them harm. The people of New South Wales

love their animals and have high expectations around their treatment. The community expects a robust animal welfare legislative framework that is fit for purpose for all who live and work with animals. That is why the Government made several animal welfare election commitments that will deliver a modernised and strengthened animal welfare framework in New South Wales. Importantly, one of the existing commitments is to establish an independent office of animal welfare. It is clear that there is a broad range of community and stakeholder views about what an independent office should look like. The Government is working through those views to ensure that the office is fit for purpose.

In addition, another of the Government's commitments relates to the comprehensive review of the Prevention of Cruelty to Animals Act [POCTAA], the very Act that the bill seeks to amend. The Government will introduce legislation to ban puppy farms in New South Wales, which is a key issue for the community that the Government takes seriously. The Government is making progress on those commitments and has already delivered on its commitment regarding fit and proper persons with the introduction of the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024, which passed the Parliament on 7 August 2024. The Government committed \$21 million in the 2024-25 budget to safeguard animal welfare and provide the strongest possible framework to prevent cruelty and promote the responsible ownership and care of animals in New South Wales. Those commitments, and the ongoing delivery of them, send a clear signal that the Government is committed to a comprehensive reform of the animal welfare framework in New South Wales.

Each of the commitments fit together in a larger animal welfare framework, and it is important that they are properly considered together, rather than in isolation in an ad hoc manner. Work is currently underway on all of the Government's remaining commitments to ensure that they are delivered in a cohesive, effective and considered way. Ms Abigail Boyd is right to point out that New South Wales will be the first jurisdiction to implement an independent office of animal welfare. It is for that reason that the Government wants to make sure it gets it right. I assure Ms Abigail Boyd that the Government will continue to work with her and others who are interested and actively working in the space, as well as with people across the sector with the broad range of views that I referred to, to make sure it gets the process right.

While the Government works through its commitment to establish an independent office of animal welfare with stakeholders, I put on record the concerns that the Government has with the current model in the bill. The bill seeks to amend the primary piece of animal welfare legislation in New South Wales—the Prevention of Cruelty to Animals Act 1979—and proposes to confer extremely broad functions upon the office in relation to any other Act or law relating to the welfare of animals in the State. The bill seeks to provide numerous powers to the new independent office and the Chief Animal Welfare Officer, including developing the State's animal welfare policies and guidelines. That is a broad function, and several provisions proposed by the bill would have the effect of removing ministerial discretion and appropriate oversight in relation to the administration of the laws.

In effect, the arrangements proposed by the bill would result in the ultimate responsibility for extensive animal welfare policy development in New South Wales resting with just the Chief Animal Welfare Officer and a majority of the advisory committee, which is proposed to be comprised of 12 people, with no ministerial oversight or responsibility. That is not consistent with the community's expectations around responsible government. As policymakers, we are held to account by our communities, and the bill proposes to remove the accountability of the relevant Minister and, in doing so, disempowers the broader community views.

The bill does not recognise the importance of balanced stakeholder representation. Section 34A of POCTAA currently requires consultation with relevant industries before guidelines are prescribed under the regulation. Alarmingly, the bill proposes to remove the existing consultation requirements. Further, the bill proposes an unbalanced 12-person advisory committee, with only one member of the 12 proposed to represent industry. That single person must represent both companion and livestock animals. The overwhelming majority of the proposed committee—eight of the 12 members—is proposed to be comprised of animal welfare organisations and representatives. Those stakeholders are, of course, vital. However, given the myriad of views in the space, it is crucial that the Government seeks balanced and representative opinions to ensure that laws and policies are fit for purpose for New South Wales.

Understanding the implications that any proposed legislative change would have for industry is an important input into the policymaking process and should not be dismissed but instead considered alongside all other views in the space. A further concern is that the model proposed by the bill includes the creation of an entirely new New South Wales government agency, a new statutory office with a CEO and a large new statutory committee. The costs and benefits of establishing and then operating all of that are completely unknown and entirely untested. An independent office of animal welfare proposed by the New South Wales Government will be appropriately developed to ensure that it is cost effective and complementary to the work of existing agencies, rather than duplicative. Removing statutory consultation requirements and vesting significant power in a small group of individuals at an unknown cost to the taxpayer is simply not good government.

The bill has not been subject to appropriate consultation. That is concerning, as the impacts of the bill would be widespread but are not fully understood. The appropriateness of the proposed model has not been tested with all relevant stakeholders. The bill proposes the creation of an entirely new New South Wales government agency, the type of which does not exist in any other State or Territory in Australia. Legislating a new government agency without consultation is extremely problematic in and of itself, let alone introducing a new agency that does not have a tried and tested example upon which to base such a model. It is crucial that proper consultation on the topic takes place, as there are a broad range of stakeholder and community views about the appropriate functions of an independent office. Those views need to be taken into account. In delivering its election commitment to create an independent office of animal welfare, the New South Wales Government will work through those views to ensure that the office is fit for purpose. We have already delivered our commitment regarding the fit and proper person regime, and we did so following consultation with key stakeholders.

The bill in its current form would circumvent the consultation currently planned by the New South Wales Government to ensure that we get this important commitment right. The introduction of an independent office of animal welfare in New South Wales needs to be underpinned by careful consideration and consultation. Again, I thank the member for bringing the bill forward and for her ongoing work in this place. I recognise that there is a significant amount of interest in this matter in the House, across the Parliament and across the community. The Government will continue to work with all members of this House to accommodate the wide range of views that I have talked about. The Government will not support the bill.

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

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery Mr Jean-Paul Yegenian, who is a student intern in the office of the Hon. Cameron Murphy for the next 10 weeks. He is very welcome.

Questions Without Notice

PUBLIC SECTOR WAGES

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Treasurer. How many unions have accepted his pay offer of 10.5 per cent over three years?

The Hon. DANIEL MOOKHEY (Treasurer) (11:00): I thank the shadow Treasurer for my weekly question. It is good that I can set the clock to Wednesday at 11:00 when I get one question. I will take my time to answer it because I just do not know when the opportunity will come again; it might be the following Wednesday at 11.01 that I will get my question, and I will be thrilled to answer it. I thank the shadow Treasurer for his interest. It is important that the former Minister for Industrial Relations stays engaged in the portfolio. I am glad that he is taking the opportunity in question time to do so. I know it is all very foreign to him because he never negotiated when he was the Minister for Industrial Relations. Instead, he relied on the crude force of law to suppress the right of anyone to bargain.

The Hon. Damien Tudehope: Point of order: The answer is entirely typical of the way the Treasurer treats question time. The question is very specific, and the Treasurer should answer it as it is set out. If he cannot answer it, he should just say so.

The PRESIDENT: Although I uphold the substantive point of order, I make a point to the Leader of the Opposition that both the beginning and the end of his point of order were not helpful.

The Hon. DANIEL MOOKHEY: As I was just starting to explain, the shadow Treasurer asked me how many people have accepted the offer. In terms of the particular awards that he is speaking about, I presume he was referring to all 74 awards that are currently being negotiated through the system. Firstly, it is important to point out that acceptance comes after negotiation and bargaining. That is precisely what we are up to in the bargaining process. Secondly, if members wish to go into more detail about the process that leads to acceptance, which the Hon. Damien Tudehope is asking me about, I make the point that, as a result of the changes that the Government introduced last year, we now have what is called a mutual gains bargaining process. It is interesting that, with respect to the respondent to the awards, all unions are engaged in that mutual gains bargaining process or the conciliation process of the Act.

The PRESIDENT: I call the Hon. Natalie Ward to order for the first time.

The Hon. DANIEL MOOKHEY: The third point is that, unlike the regime of the former Minister for Industrial Relations, the process is supervised by an independent industrial umpire, otherwise known as the Industrial Relations Commission, but also now including the Industrial Court of New South Wales. As I am sure

the former Minister for Industrial Relations is aware, that process is well and truly underway. It is public and accessible, and people can see for themselves precisely where people are up to in that particular process. I also make the point that, right now, various unions are at various points of their internal processes when it comes to the positions that they will adopt in those proceedings. Some unions have reached in-principle agreements with respect to some of the awards; other unions have not. Some unions have put positions to their membership and are waiting for them to come back.

The Hon. Damien Tudehope: Point of order: The Treasurer has 30 seconds left. The question was specific. How many have accepted the offer?

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

The Hon. DANIEL MOOKHEY: I make the point that the new system is entirely underpinned by a requirement for all parties, including the Government, to act in good faith. The Government is acting in good faith. We are respecting the fact that various unions are involved in various parts of their internal processes. We give them respect and bandwidth to allow them to do so under the supervision of the Industrial Relations Commission.

The Hon. DAMIEN TUDEHOPE (11:04): I ask a supplementary question. Perhaps the Treasurer can elucidate the negotiation process with the NSW Nurses and Midwives' Association, whose claim for 15 per cent over one year was rejected by the Premier on the grounds that it is "more than we can afford". Perhaps the Treasurer can clarify whether there is any money in the budget to give the nurses a single cent more than the 10.5 per cent that he offered them.

The Hon. Penny Sharpe: Point of order: Mr President, I know you like to give a bit of latitude in relation to elucidation of answers given, but that was clearly a new question.

The Hon. Damien Tudehope: To the point of order: The supplementary question arises specifically in relation to the wage offers that have been made. The Treasurer gave a long answer about the process being adopted. The 10.5 per cent was the amount contained in the budget. A claim has been made for significantly more than that by one of the unions identified. Perhaps the Treasurer should articulate where that is in the budget.

The PRESIDENT: The question is very close to the line between an entirely new question and a supplementary question. The Leader of the Government is quite right that I have previously given wide latitude. I will allow the question, but I put the Opposition on notice that I am watching the issue.

The Hon. DANIEL MOOKHEY (Treasurer) (11:05): I thank the shadow Treasurer and former Minister for Industrial Relations for his question asking me to elucidate the answer I just gave. The shadow Treasurer is asking precisely where we are up to with respect to one particular negotiation that we are engaged in. Firstly, I can inform him that, according to the best advice that I have, the NSW Nurses and Midwives' Association is of course agitating for a pay rise for its members, as one would expect it to. That is its right. Secondly, the association is engaged in the mutual gains bargaining process that I just made reference to. To the best of my recollection, I believe it has had multiple sessions, including sessions last week.

Thirdly, those discussions are taking place and, to the best of my knowledge, both parties—the union and the Government in response—are acting in good faith. Fourthly, I well and truly accept that this part of the process is creating frustration on the part of the NSW Nurses and Midwives' Association, but I also make the point that it has been thoroughly professional. The Government respects that, and I respect very much the association's right to bargain hard for its members. The final point that the shadow Treasurer asked me about is about the broad posture of the Government. The Government has been up-front about the fact that the pay rise that is currently being proposed, absent any offset, is not affordable for the State. I also make the point that it is precisely why—

The Hon. Damien Tudehope: Point of order: The supplementary question was whether there is money in the budget for any amount above 10.5 per cent.

The Hon. DANIEL MOOKHEY: To the point of order—

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 Treasurer is being directly relevant.

The Hon. DANIEL MOOKHEY: As I was saying, absent any particular offset, that is a position which is not affordable to the State of New South Wales. That is also why we have brought back an independent umpire, because, unlike members opposite, we have legislated the right for those who disagree with us to go to an independent umpire. As has been made clear, that is precisely the mandate we got from the people of New South Wales. [*Time expired.*]

NSW ENVIRONMENTAL TRUST

The Hon. ANTHONY D'ADAM (11:08): My question is addressed to the Minister for the Environment, and Minister for Heritage. Will the Minister inform the House about the work of the NSW Environmental Trust?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:08): I thank the honourable member for his question. I am pleased to inform the House about the work of the NSW Environmental Trust. It is not well known, but it has been part of the way in which New South Wales has tackled environmental challenges since 1998. In 1998, under former Minister for the Environment Pam Allan and former Premier Bob Carr, a legislated trust was established to provide grants to help protect and restore the environment across New South Wales. The key objective of the Environmental Trust is to protect and restore nature on both public and private land. The trust has worked with literally hundreds of groups. It has delivered \$1.34 billion to environmental projects since its formation and it partners with the Government, volunteer groups, local councils, land councils and scientists to roll out a range of effective programs. It is a unique body that is worth celebrating.

I highlight a few projects that have done fantastic work across New South Wales in recent times, in particular the ongoing partnerships with local Landcare. I note that we recently celebrated Local Landcare Week. I welcome the ongoing investment of the Government in Landcare so that it can continue its work. The Bega Valley Wetlands Landcare has regenerated the wetlands and river oaks in the region, securing the health of that iconic place for the future. Murrumbidgee Landcare has been supported to bring together the council, Landcare, headspace and school students to connect young people to nature to regenerate habitat and boost their mental wellbeing. Environmental education projects include funding the River Warriors in the Brunswick River catchment, a community-led program to map and connect local restoration projects and help landholders work together. The funding from the trust is also helping the traditional owners restore the Indigenous and environmental values of the Gully Aboriginal Place in the Blue Mountains.

This week I will be pleased to announce the launch of the NSW Environmental Trust's latest five-year strategic plan. The plan sets out the priorities for the trust over the next five years. It is evidence-based and stakeholder-informed, and will ensure that we are investing in the most significant environmental issues impacting on New South Wales. As part of the commitment, we will change the legislation to include an Aboriginal person on the board of the trust. The Minns Government is committed to reversing biodiversity loss. The Environmental Trust plays a key role in helping us protect what is left and restore what has been harmed. To that end, I invite all members and their staff to join us tomorrow night to launch the new strategic plan and to hear about the fantastic work done by the recipients of the trust funding. We will hear from BirdLife Australia, the Gully traditional owners, Blue Mountains council and RSPCA NSW on some of their recently supported projects. I congratulate everyone from the trust on the fantastic work they do and the work that is yet to come. I thank the public servants who have worked dutifully and conducted a huge amount of consultation to deliver that plan.

REGIONAL GROWTH INITIATIVE ELECTION COMMITMENTS

The Hon. SARAH MITCHELL (11:11): My question is directed to the Minister for Regional New South Wales. How many of the 17 projects that were promised funding under Labor's Regional Growth Initiative Election Commitments have been funded to date? How much of the \$10.918 million the Government promised to spend in 2023-24 on that marginal seat grants program was expended?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:11): I thank the member for the question. The New South Wales Government is getting on with delivering for regional New South Wales and investing in regional communities. We are getting on with delivering on all of our election commitments, including all of the things that have been funded so far. We will continue to deliver on the election commitments referred to in the question. A wide range of work is being done across the Government to support regional communities in a better way than the previous Government. As I said, we are delighted to be getting on with the job of investing in regional communities. There are a whole range of programs, including the Regional Development Trust. The Regional Development Amendment Bill 2024 will be before the House in the next couple of days as an example of the Government's better way of working with regional communities. It does not involve pork-barrelling; it involves properly investing—

The Hon. Sarah Mitchell: Point of order: I asked a very specific question about Labor's regional growth initiative fund. It was not a general question about the Government's policy in terms of regional areas. I want to know how many of the 17 projects have been funded to date and how much of the money was spent. It is quite specific.

The PRESIDENT: I uphold the point of order. The scope of the question was specific. The Minister has the call.

The Hon. TARA MORIARTY: I note the President's ruling, and I am happy to come back with the details of the specific programs in the question. But broadly, I am very proud of the work the Government is doing across regional New South Wales. We are getting on with the job of making sure that money is being spent where and when it is needed across regional communities. Today *The Daily Telegraph* did a fantastic job of highlighting the work that the Government is doing. We are investing to get essential workers into regional communities, and that fantastic program is well underway. The Government is doing a whole range of really significant work to invest with and in regional communities to make sure that they have better outcomes than they had under the previous Government.

The Hon. SARAH MITCHELL (11:14): I ask a supplementary question. Will the Minister elucidate that part of her answer where she said multiple times that the Government is getting on with the job of delivering? Can she confirm how many, if any, of the 17 projects have been funded or completed since the start of this term of government?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:14): I refer to my previous answer. I answered the question, but I am happy to again outline the fantastic work the Government is doing to invest in regional communities. I am happy to come back with the details to answer the specifics of the question. It is within the mix of incredible work that we are doing to invest in regional communities. The Welcome Experience has been highlighted today in the media. That is a really successful campaign to get essential workers out to regional communities. There is a \$400 million Regional Development Trust to make sure there is no pork-barrelling like the National Party did when in government. We are getting on with the job of ensuring that taxpayer dollars are being spent exactly where they are needed across our regional communities.

The Hon. Emily Suvaal: Point of order: My point of order relates to the level of interjections. I note that the interjections continued once I got to my feet and stood here. The interjections are disorderly and reflect poorly on members opposite.

The PRESIDENT: I uphold the point of order. There are too many interjections. The Minister will be heard in silence. The Minister has the call.

The Hon. TARA MORIARTY: Again, I appreciate the opportunity to outline some of the great work the Government is doing across regional New South Wales. It is clear that the Opposition is very sensitive about the fantastic results we are having in regional communities.

The PRESIDENT: I call the Hon. Sarah Mitchell to order for the first time.

The Hon. TARA MORIARTY: Opposition members like to ask these questions, but instead of listening to the answer about the great work that is happening across regional New South Wales, they just yell at me for six minutes. We could save time and they could do that in the hallway outside. The Government is investing significant amounts in making sure that regional communities are getting essential workers. The Welcome Experience was outlined in the media today, and it is being celebrated in places like Walgett. It will ensure that we get police and other key workers into regional communities. It is an incredibly successful piece of work. The Government is very proud of its work across regional New South Wales. I am sorry that the Opposition is so sensitive about its failure and its pork-barrelling, but we will continue to get on with the job.

HEALTHCARE WORKERS

Dr AMANDA COHN (11:17): My question is directed to the Hon. Courtney Houssos, representing the Minister for Health. A majority of respondents to the Australian Salaried Medical Officers' Federation [ASMOF] workforce survey reported that inadequate staffing levels have led to reduced quality of care, increased wait times and compromised patient outcomes. In its submission to the Special Commission of Inquiry into Healthcare Funding, ASMOF wrote that New South Wales will continue to see understaffing as more and more doctors choose to work in the States with superior wages and conditions. That has impacts across the health system and will ultimately lead to a decrease in the quality of patient care. Despite that, the New South Wales Government offered a below inflation pay rise of 10.5 per cent over three years for interns, registrars, career medical officers and medical superintendents, which is a continuation of the worst awards in the country. What is the Government doing to retain doctors in our public hospitals?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:18): I thank the honourable member for the question. There were a lot of parts to that question, so although it was asked of me representing the Minister

for Health, I will try to provide some initial comments. If there are any specifics, I will come back to the member with an answer. The member asked me about a submission that ASMOF made to the Special Commission of Inquiry into Healthcare Funding. Labor made an important pre-election commitment for that special commission of inquiry to delve deeply into the chronic problems faced across our healthcare system. We have fantastic public sector workers, and I commend the work of the Minister for Health. Indeed, in her valedictory speech last night, I think that even the Hon. Bronnie Taylor paid tribute to the excellent work of the Minister for Health, who is implementing that key election commitment. That work is underway, and I know the Minister will consider the special commission of inquiry reports once he receives them.

The question also referred to our wages offer of 10.5 per cent over the next three years, and I correct the assertion that that is below inflation levels. We have been really careful. This Government gave public sector workers their first real wage increases in a decade because the previous Government legislated a wages cap that entrenched below-inflation rate increases for public sector workers. We know that we are dealing with the consequences of that every day. Whether it is the chronic vacancies we saw in our schools or the challenges that we face in our health system, they are a consequence of the previous Government's wages cap.

The Government is taking deliberate and careful action to repair that. As the Treasurer outlined earlier in question time, that wages offer is now up for negotiation. We are engaged across—I think the Treasurer said—74 different awards. We now have a framework in which we engage with our workforce, initially, in a negotiation process, but we also have a mutual gains bargaining framework. That means that we engage with our workforce. If there are improvements and savings that can be made, we look forward to hearing directly from those at the coalface who can give us that feedback.

OVERHEIGHT TRUCKS

The Hon. Dr SARAH KAINE (11:21): My question is addressed to the Minister for Roads. Will the Minister update the House on the use of new technology in the New South Wales Government's campaign to reduce overheight truck incidents?

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) (11:21): I thank the member for her question and, as it happens, I can update the House. As members know, I tabled the *Overheight Truck Taskforce Report* on 14 May, and it showed good results. There was a 32 per cent reduction in overheight incidents and a 67 per cent reduction in time lost, because those incidents impact on commuters. A stand-out has been the Sydney Harbour Tunnel, one of the worst places for those incidents, with closure minutes slashed by 80 per cent and incidents down by two-thirds. Those were good results. Overall, at the end of 2023 there was a seven-year low for overheight incidents. I thank everyone involved, especially the National Heavy Vehicle Regulator [NHVR].

In an Australian first, Transport for NSW has now combined light detection and ranging [LIDAR] scanning technology with automatic numberplate recognition technology. The six-month trial of that will see trucks taller than four metres scanned as they pass under a sensor, and their height and numberplate information will be gathered and instantly displayed to drivers on the overhead variable messaging signs. The LIDAR is connected to the numberplate recognition which is connected to the variable messaging signs. As drivers are barrelling down the M1 at speed, their heights and numberplates will be displayed for them, allowing them to divert off the road rather than crash into the Sydney Harbour Tunnel, for instance. It is a very practical outcome. It will give an accurate real-time height reading on vehicles, giving heavy vehicle drivers time to divert.

The Hon. Penny Sharpe: Duncan Gay would totally love this.

The Hon. JOHN GRAHAM: I acknowledge the interjection from the Leader of the Government, because Duncan Gay does love this. In fact, he has been heavily involved in his role as chair of the NHVR. I thank him and the whole NHVR team. They have been instrumental in allowing us to get to that result. I congratulate Duncan Gay—

The Hon. Sam Faraway: We put him there for a reason, John. He knows his stuff.

The Hon. JOHN GRAHAM: I acknowledge that interjection from the former Minister, and I thank him for his support of Duncan Gay. I congratulate Duncan Gay on his re-election as chair of the NHVR for a period, with the full support of New South Wales, given the excellent work he has done in that space. We were happy to have him back. We have relied on close work between the Government and the NHVR. Skilled agency people in both transport and police, the NHVR and, above all, the industry—good truck drivers who know their heights—all worked together to get some really good results.

CADIA GOLDMINE

Ms CATE FAEHRMANN (11:24): My question is directed to the Minister for the Environment. Contaminated PFAS foam has been found at 1,800 times the safe drinking water guidelines in the Belubula River near Newmont's Cadia goldmine. In an ABC report out today, local landholders said:

This stuff is coming down the size of bathtubs and I've never, ever seen that before ... It's like a bubble bath.

Cadia's environment protection licence not only does not specify pollutant limits for groundwater but it also does not monitor for PFAS or PFOS. It is up for renewal and the Minister has said, in this place, that groundwater will be a priority in the assessment process. Will the Minister now also ensure Cadia's environment protection licence includes the requirement to monitor for PFAS, PFOS and other hydrocarbons?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:25): I thank the honourable member for her very important question. I will take some of that detail on notice, but I make the following observations: I am very concerned if anyone is breaking the rules in relation to their licences. The whole point of environmental licences is that there are rules in place to protect the environment, and those who are issued licences need to comply. We take that seriously, no matter where it occurs. I can provide some advice, but I will check before providing more detail because I have not seen the latest article this morning. That is why I am hesitating a little bit. The Cadia mine has confirmed that waste has entered groundwater at the site. Obviously, the Environment Protection Authority [EPA] is liaising directly with Cadia and working on the matter. It will be working with the mine owners and community members in the vicinity of the mine and, obviously, it needs to keep the community informed about any ongoing regulatory activities as well as any other information that we need.

I am very concerned. I will provide more information on the actual status. That is why we need to deal with the issue. The member would be aware that the EPA is currently undertaking the statutory five-year review of Cadia's licence and, obviously, the issues that have been raised are considerations in that. I will not speculate further. I will come back to the member with any additional helpful information on the current status but, yes, we take it seriously and, no, it should not be happening. Those that have environmental licences need to follow the rules and ensure they are not harming the environment.

Ms CATE FAEHRMANN (11:27): I ask a supplementary question. I appreciate the Minister's response, but I think it was written in relation to an earlier contamination incident, not today's incident and not in relation to PFAS. Will the Minister elucidate the part of her answer about providing information on where this is up to? In July the EPA was called out to one of the properties to take samples. Why has it not released those results publicly? When will it release them?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:28): I am not trying to be tricky; I have not seen the report. I will find out what is going on with it, and I happily take on notice the issues the member has specifically raised. There may be reasons why it has not been provided yet. It might be getting checked; I do not know. But I want the community to be informed, and I want people to adhere to the licences they are given. It is the EPA's role to make sure that happens. I will report back.

The Hon. SARAH MITCHELL (11:28): I ask a second supplementary question. Will the Minister elucidate that part of her answer where she said she would seek more advice and assure the community that the appropriate measures are in place? As the Leader of the Government, will the Minister also assure the communities along the Belubula River and Lachlan River that their water is safe to drink?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:29): I think that is a new question.

The PRESIDENT: It is a long bow, that is true. The Leader of the Government has the call.

The Hon. PENNY SHARPE: I am happy to answer it. The answer is that I will provide as much information as I can, and I will come back to the House.

The PRESIDENT: I welcome to the gallery students from Wollondilly Anglican College who are participating in the Legal Studies and the Legislature program conducted by the Parliamentary Education and Engagement team.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. NATALIE WARD (11:29): I also welcome the students to the gallery and commend to them their studies. Work hard, stay in school and do not consider a career in Parliament! Go out into the real world and stay there.

The Hon. Rose Jackson: We need them in politics. These incredible young people should want to be in Parliament.

The PRESIDENT: The Clerk will restart the clock.

The Hon. NATALIE WARD: I am joking. It is a noble thing that we do, but I advise them to stick to their studies. My question is directed to the Minister for Roads, representing the Minister for Transport. Is the metro open yet? If it is not, when will it open?

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) (11:30): I give the shadow Minister for Transport and Roads absolute credit—she would have been there. She never would have let what happened on 4 July 2020 happen, when no Minister and no Premier turned up to the opening of the M8 tunnel because former Premier Berejiklian had just talked about toll mania.

The Hon. Natalie Ward: Point of order: As much as the Minister has incited me to, I will resist commenting on the seamless opening of the M4 and M8 tunnels. They opened without delay. I ask that you draw the Minister back to the question, which was very specific. It was not about what I did in a past life but about what the Minister is doing to open the metro for the students who want to catch it.

The PRESIDENT: I thank the member for not responding to the Minister. I uphold the point of order.

The Hon. JOHN GRAHAM: I simply make the observation that opening fever continues. As I previously indicated to the House, last week the Minister for Transport said:

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

I can confirm to the House that those exercises have been finalised, and we anticipate final regulatory approval very soon. Once that is received, we will open the line as quickly and as safely as possible.

Those things have not changed in the 24 hours since the shadow Minister last asked me about this. I congratulate her on her focus on opening fever. Having opened only one project when she was in government as a Minister, I can understand why she is fascinated. I assure the member again that ribbons will be cut, unlike during her time in government for the XPT replacement, the intercity rail, the Northern Beaches Link and the Western Harbour Tunnel. I can understand why the member is anxious, having only experienced the feeling once.

The Hon. Natalie Ward: Point of order: I am happy for the Minister to talk about the previous Government's history of transformational infrastructure projects—we left all of it to his Government. I know what I did and what we built. I ask you to draw the Minister back to the question, which was about when the metro will open.

The PRESIDENT: I have said on many occasions that points of order are not assisted by members making debating points. The Minister has the call.

The Hon. JOHN GRAHAM: I make the final observation that I have no doubt the Hon. Natalie Ward would have been there on 4 July 2020 given the chance. Unlike those other Ministers, she would not have missed that opportunity. I congratulate her on that.

The Hon. NATALIE WARD (11:33): I ask a supplementary question. I have put forward a supplementary question for written answer about this, but no detail has yet been provided. The Minister has said that confirmation of the metro opening is coming very soon. I take from that comment that it is still not open. If the metro is not yet open, why was Transport for NSW not only advising customers through Trip Planner that the only way to get from Gadigal station to Victoria Cross station was via the metro but also selling tickets for the metro that could only be used on the day of sale when no metro was running?

I seek leave to table my metro ticket and request a refund.

Leave not granted.

The PRESIDENT: Order! Members will come to order. The Minister has the call.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:34): I want it on record that I would have given the Hon. Natalie Ward leave to table whatever she wanted to. Opening fever continues. I understand that Opposition members are combing Trip Planner and imagining just how good it will be. The community is too, and not unreasonably. They can expect that it will be a smooth ride once the metro opens, and it will make a real difference to our city. I am looking forward to the economic boost that will come

over decades. I have not seen opening fever like this from the Opposition for a long time. I congratulate them on it. I assure them that, unlike a number of their projects that I outlined, this one will open.

The Hon. MARK LATHAM (11:36): I ask a second supplementary question. Will the Minister elaborate on his grand plans for the metro opening? Specifically, how much did it cost last week to employ dozens of people wearing T-shirts that said, "Ask me about the metro"? When I asked them about the metro and when it would open, their answer was "Sometime".

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:36): I thank the member for the question. It is a sensible question that was also asked last week, and I gave the same answer. Much of the planning has to happen well before opening day. Opening one of these projects is a significant endeavour that has to be locked in early. Standing down those teams would have its own complications and be unfair on those individuals. There is significant community interest in this, and it is important that we have teams on the ground. I can confirm that the advice that the member received from those individuals was accurate. I look forward to the opening of the metro.

FUTURE JOBS AND INVESTMENT AUTHORITIES

The Hon. GREG DONNELLY (11:37): My question without notice is addressed to the Minister for Natural Resources. Will the Minister update the House on the progress of stakeholder engagement on the Government's future jobs and investment authorities?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:37): I thank the honourable member for an important question about how we are delivering on our election commitment to work in partnership with coalmining communities over coming decades. I take this opportunity to also welcome the students to the Chamber today. There are lots of opportunities for members to agree, but on this I disagree with my opponent the Hon. Natalie Ward and agree with my colleagues that we want more young people involved in politics. It is amazing and fantastic. I acknowledge the Minister for Youth, who enthusiastically asked the students to please get involved in politics.

The question relates to our election commitment to deliver the future jobs and investment authorities. We know that the coal industry plays a crucial role across New South Wales, directly employing more than 25,000 people. More than 100,000 people are also indirectly employed across the supporting industries. It is going to be a challenge in coming decades as those coal-fired power stations begin to close and coalmines reach their expected expiry dates. The regional towns where these mines are located are important job-generating areas, and we want to plan for the future. Again, I acknowledge the work that has been undertaken, particularly this week but for many months, by the Standing Committee on State Development in its important inquiry, chaired by the Hon. Emily Suvaal, into beneficial and productive post-mining land use. Finding innovative ways of repurposing that land as coalmines start to close is such an important part of the conversation.

I give a shout-out to Tony at the Black Rock Motor Resort site. I was at Wakefield earlier this year to turn the sod on this project, with representatives from Lake Macquarie City Council and other colleagues. This is a fantastic project to turn a former coalmine into Australia's first motor racing resort. It has taken 50 years to get this project off the ground. This Government is not interested in that kind of time frame; it is interested in working closely in consultation with coalmining communities and planning for the future, mapping the skills that will be required and setting up to make sure that government is an enabler and not a brake on this important work.

The Government has released our model for community consultation. I have spoken about it previously in Parliament. Over the winter break, we received more than 80 submissions from the community and different organisations providing feedback on that model. I thank those people who took the time to make a submission. I also thank the people who I spoke with last week in the Hunter. I had conversations with them about what our future jobs and investment authorities will look like. They must work in partnership with the Federal Government, but this will be very important work that our Government is delivering on.

KOALA PROTECTION

Ms SUE HIGGINSON (11:40): My question is directed to the Minister for the Environment. The 2023-24 budget included \$26 million for koala crossings in south-west Sydney. Koala-friendly crossings were also included in the Infrastructure Statement. The 2024-25 budget includes funding for koala crossings at Leppington and Gulguer Nature Reserve. These are critical places for protecting koalas and The Greens support this funding for these crossings. However, the regions are in dire need of specific funding programs to facilitate and expedite the delivery of koala crossings at known vehicle-strike areas. What work is the Minister doing, with the Minister for Roads, to prevent koalas being struck by vehicles on regional roads?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:41): I thank the honourable member for her question; it is a really important one. Being hit on the road by a vehicle is one of the most significant threats koalas face. For example, analysis of the koala population in south-west Sydney suggests that up to 10 per cent are lost due to vehicle strikes. The Government is taking it very seriously. As the member indicated, additional funding was provided for koala crossings in south-west Sydney in the previous budget. We have done some work, and I am pleased to say that the Minister for Roads and I discuss koalas quite a bit, and how we can work together to better protect them.

For example, we put additional signage around Heathcote during the breeding season, when koalas were moving across that area, to improve driver awareness. We are currently updating the NSW Koala Strategy that was put in place by the previous Government and had some money attached to it. It is being reviewed and upgraded because we believe that more work needs to be done. Feedback from the NSW Koala Summit held earlier this year is informing that review. In its last budget, the Government invested another \$170 million into protecting koalas.

I will take on notice exactly what work is being done at an agency level on regional roads in car-strike areas and will come back to the member with an answer. There may be work occurring that I am not familiar with because it is happening on the ground. I am open to ideas on how to reduce koala vehicle strikes. I know that there are passionate local community members who are very concerned about koalas being run over on our roads. In some cases they take it upon themselves to work with the local council to put signage up. That is happening all over the State. But I will come back to the member with a further answer on the work that we are doing.

SYDNEY OPERA HOUSE ILLUMINATION

The Hon. RACHEL MERTON (11:43): My question is directed to the Minister for the Arts. Given the cost of lighting the Sydney Opera House sails in a single colour is as low as \$10,000, why was the Australian Red Cross application to light this iconic landmark red last night, from sunset to sunrise, to mark the 110th anniversary of its volunteers providing help and support to the people of New South Wales, refused?

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) (11:44): The member is aware that I have taken the details of this matter on notice. I am committed to bringing those details back to the House. I am aware of the application by the Australian Red Cross, but I have not received additional information about the grounds upon which it was refused. As I have indicated to the House already, I am seeking that information. I will be happy to provide it to the member within the usual time frame.

COMMONWEALTH EDUCATION FUNDING

The Hon. CAMERON MURPHY (11:45): My question without notice is addressed to the Treasurer. Will the Treasurer please update the House on how the Labor Government is engaging with the Commonwealth to ensure full and fair funding for New South Wales public schools?

The Hon. DANIEL MOOKHEY (Treasurer) (11:45): I thank the member for his question and his ongoing interest in this area that is of crucial importance to the nation, our State and particularly the future of education in New South Wales. It is an apt day to update the House on where we are with our conversations with the Commonwealth Government about the contributions it needs to make towards our education system. Clearly the entire nation is faced with the problem of falling education standards. This has developed over the past decade. It is disappointing. There is a need for urgent investment. I am pleased to report to the House that, when it comes to this Government's contribution to this national challenge, in its first and second budgets it lifted its share of Gonski funding for public schools from 72 per cent to 75 per cent of the Schooling Resource Standard [SRS]—two years earlier than members opposite had budgeted.

Specifically, to be clear on what that means, in 2025 New South Wales public schools will have received an extra \$481 million. The Commonwealth Government prefers to talk in 10-year figures, and as the Deputy Premier did in the other place yesterday, let me translate today what that means for the coming decade. It means an extra \$4.8 billion for public schools over the next 10 years. That is an extraordinary investment in our public schools. It means that New South Wales is now funding the overwhelming share.

The Hon. Aileen MacDonald: Point of order: I cannot hear the Treasurer when he faces away from the table. I would prefer that he face the Chair.

The Hon. DANIEL MOOKHEY: To the point of order: I feel that the ability of the Hon. Aileen MacDonald to hear me is being affected by the interjections coming from members seated in front of her.

The Hon. Damien Tudehope: To the point of order: Members on this side of the House were listening respectfully to the Treasurer, because the content of what he had to say is of interest to them. The point that the

Hon. Aileen MacDonald makes is quite pertinent. The Treasurer should be directing his comments through the Chair.

The PRESIDENT: The Leader of the Opposition is correct that almost all Opposition members were listening respectfully, with the exception of the Deputy Leader of the Opposition. I uphold the point of order. It is helpful if members speak through the Chair. The Minister has the call.

The Hon. DANIEL MOOKHEY: As I was saying, an extra \$4.8 billion will be funded by New South Wales. It is the only State that has rapidly increased its share of SRS funding. But, equally, the Commonwealth has a responsibility. The Commonwealth has access to most of this nation's tax levers. The Commonwealth is the principal financial actor in the Federation. The Commonwealth needs to match what New South Wales has done and meet its obligations so our kids get access to the minimum share of resources required. If we can combine the additional fiscal firepower that this Government has made available to New South Wales schools with an additional Commonwealth contribution, then we have a big opportunity. We should seize it as a Federation.

KANGAROO MANAGEMENT POLICY

The Hon. EMMA HURST (11:49): My question is directed to the Minister for the Environment. During the election campaign, Labor indicated its support for the recommendations of the inquiry into the health and wellbeing of kangaroos and other macropods, and committed to ensuring that there are sufficient numbers of monitoring and compliance officers in the National Parks and Wildlife Service to properly oversee the licensing system. Will the Minister outline what steps the Government has taken to implement the recommendations from the kangaroo inquiry since being elected, particularly recommendations 7 and 11?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:50): I thank the honourable member for her question and her ongoing interest. The kangaroo inquiry was an important one. The Hon. Mark Pearson led the Animal Justice Party in that inquiry, and the Hon. Emma Hurst's office has continued to pursue the implementation of its recommendations. As the member is aware, in 2021 the committee delivered the inquiry report and made 23 recommendations. On 12 April 2022 the then Government tabled its response, which supported two recommendations and supported another two in principle.

The issues raised in the inquiry highlighted the need for greater transparency of kangaroo management plans, programs and practices, as well as better dissemination of the information that underpins them. The Government is continuing to work through the options for a kangaroo management plan across the State. My department is documenting the sites underpinning the plan and developing plain-English explanations for how it works, which will be very welcome. It is making enhancements to the licence management and reporting system to improve the data and increase the frequency of reporting. It is continuing to work on the current distance sampling population survey methods, which have been the subject of much discussion, particularly in this Parliament. Specifically on recommendations 7 and 11, I will take that part of the question on notice and come back to the member.

HOUSEHOLD SOLAR BATTERIES

The Hon. JACQUI MUNRO (11:52): My question is directed to the Minister for Energy. What consideration did the Minister give to the impact on small businesses and their workers, like Matthew Somerville of RenewCo and his 30 employees, of announcing an incentive for the installation of household battery energy storage systems six months before it will come into effect?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:52): The short answer is that we gave it a lot of consideration. That incredibly important Government announcement will encourage and allow more people to install batteries in their houses to help them with their energy bills. Around one million New South Wales households have solar panels on their roofs, and adding a battery will see them benefit around the clock, not just when the sun is shining.

The Government is reducing the up-front costs by around \$2,000 to \$3,000 for households and businesses that want to install a battery or join a virtual power plant. That is an important, targeted action. We gave notice of it because we need to put in place a range of compliance arrangements and work through the installers who are able to accredit those processes so that they are ready to go. We have taken that important program seriously. I am aware of, and have been talking to, businesses that feel the impact of the gap in the market. But we cannot undermine safety and compliance in allowing households to put batteries in place.

The scheme's expansion has been announced to ensure that there is time to roll it out correctly. The idea is to give industry sufficient time to prepare and to make sure that the accredited installers are in place. The scheme has been operating since 2022, and there is always a period between publication of the scheme rules and

commencement of the incentive. Part of that is to allow the Independent Pricing and Regulatory Tribunal to do its work. I inform the House and the member that the issues raised have been problematic for small businesses, and we are working hard to see if we can bring the incentive forward. But I will not commit to doing that until we are sure that the compliance and the rules are in place. I am aware of the issue. We are working to improve it, but safety comes first. We look forward to households being able to take up batteries and solar under the Peak Demand Reduction Scheme as it rolls out.

REGIONAL ESSENTIAL WORKERS

The Hon. STEPHEN LAWRENCE (11:55): My question without notice is addressed to the Minister for Regional New South Wales. How is the New South Wales Government attracting essential workers to regional New South Wales?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:55): I thank the honourable member for his very important question. The Government is committed to making sure that regional communities across New South Wales receive the essential services that they need to continue to grow and prosper. As part of that, it is investing \$25.1 million through the Essential Worker Attraction Program to attract essential workers to regional communities and retain them. The Welcome Experience is a key part of the initiative. It provides personalised support to essential workers and their families to help them settle into regional communities faster and stay in essential regional roles longer.

As part of the initial 12-month pilot, essential workers who were considering moving to Broken Hill, Bega, Griffith, Coffs Harbour, Walgett, Goulburn, Corowa or Muswellbrook were invited to register for the Welcome Experience. The results were incredible. As of 30 June this year, some 1,800 individuals registered for and engaged with the Welcome Experience, and 511 essential workers and their families have moved to one of the eight locations participating in the pilot. That is an incredible response, particularly considering that behind each registration is usually an entire family moving into a regional community.

One example was highlighted in *The Daily Telegraph* today, as I referenced earlier, and I encourage members to have a look at it. Amy Loomes, a police officer who was based in Sydney, has used the resources of the Welcome Experience to settle into the Walgett community. That included moving with her husband, Casey, and their children. As part of the project, Casey was supported to find work as a carpenter. That is another bonus for Walgett, adding skills to the community. The Nationals are going nuts—again—about that worthwhile program. They just do not like good news, but the Government is doing such great work across regional communities that it is being celebrated in the news today. I encourage members to read the article and check out the great work happening across the regions.

The PRESIDENT: Order! Opposition members will cease interjecting.

The Hon. TARA MORIARTY: I know it is sending members opposite round the twist that the Government is doing such fantastic things in our regional communities. We are getting key workers into the jobs that are needed, particularly in our remote communities. I am delighted to announce that the program has been expanded. It will be rolled out in a range of regional communities, including Bourke, Leeton, Queanbeyan, Albury, Singleton, Wagga Wagga and many more. We are getting on with the job of delivering for the regions.

ROSEHILL RACECOURSE

The Hon. MARK LATHAM (11:59): My question is directed to the Leader of the Government, representing the Premier, and in relation to her role as Minister for the Environment. Last Friday at the Rosehill racecourse inquiry, it was revealed that the chair of the Australian Turf Club, Peter McGauran, has been misleading his 13,000 ATC members by claiming the sale value of the racecourse is \$5 billion when there is no such valuation and the figure being used internally at the ATC is \$2 billion. That means the Minns Government's support for this project is based on a falsehood. In the light of this important information, what action is the Minister taking in her portfolio responsibilities to make submissions to the unsolicited proposal process to protect the endangered bell frog at the brick pit and to reject the ATC plan to destroy protected woodlands at the Western Sydney Parklands to make way for its Horsley Park training centre?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:59): I thank the honourable member for his question. I thank him for his care of the bell frog and for being interested in this endangered animal which, as we know, was specially protected when Homebush was built for the Olympics and we were dealing with all of that. In relation to action I will be taking, if the unsolicited proposal progresses—we know the processes are being worked through—my departments will do what they do with all development applications [DAs], or any changes that may or may not occur. If there is a DA in front of them, we work through those and provide advice in due course. I look forward

to the member's submission to the Department of Planning and Environment as we progress through this on why we should save the bell frog.

The Hon. MARK LATHAM (12:00): I ask a supplementary question. Will the Minister elaborate on her answer about the action she is taking by addressing the grave concerns we have about the loss of the woodlands in the Western Sydney Parklands because the ATC has got its map wrong of the Sydney International Equestrian Centre and its proposal for the training centre would bulldoze those woodlands?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:01): Again, I thank the member for his concern about the woodlands in Western Sydney. We have a significant issue with woodlands across Western Sydney because we have lost so many over time. My answer is the same in relation to the bell frog, which is that if a proposal is made and if there is a DA, this is the way in which these matters are worked through. People will be aware that there is a whole offset scheme, which I am sure will be discussed a lot in time. It will be dealt with in that way, but I welcome the interest in woodlands and endangered bell frogs from the honourable member.

The Hon. SCOTT FARLOW (12:01): I ask a second supplementary question. Given the concern raised with respect to the endangered species in the property, what about Latham's Snipe? What is the Minister doing to protect Latham's Snipe, which is a migratory bird that also frequents the brick pit at Homebush?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:02): I thank the member for his question. I was wondering where it was going. I am sure there are others who would not care about Latham's Snipe, but I care for all endangered species.

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

KOALA PROTECTION

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:02): I have a further answer in relation to koala protection. Work is being undertaken in the Hon. John Graham's area. A symposium at the University of Technology Sydney on 21 May explored the new technologies that can help reduce wildlife vehicle collisions. The symposium brought together ecologists, transport agencies, technology experts, all levels of government, NGOs, industry and the community. The Government has allocated \$500,000 over four years for future trials in addition to \$55,000 for the symposium. The wildlife vehicle strike symposium was successful. It was a good opportunity to bring everyone together because it is not just about a fence or a sign. We are looking at options that could help all wildlife, not just koalas. There will be future work in relation to this. I am informed that Transport for NSW will release more information about this in the future.

Supplementary Questions for Written Answers

SYDNEY METRO CITY AND SOUTHWEST

The Hon. MARK LATHAM (12:04): My supplementary question for written answer is directed to the Minister representing the Minister for Transport. I seek an answer to an earlier question. What was the cost of those umpteen workers in their T-shirts telling me that the metro will open sometime?

CADIA GOLDMINE

Ms CATE FAEHRMANN (12:04): My supplementary question for written answer is directed to the Minister for the Environment. Has the Environment Protection Authority tested for PFAS and/or PFOS from the samples collected in July from the Belubula River? What are the results?

SYDNEY OPERA HOUSE ILLUMINATION

The Hon. RACHEL MERTON (12:04): My supplementary question for written answer is directed to the Minister for the Arts. When did the Australian Red Cross first engage with the Government regarding lighting the Opera House red on the night of 14 August? When was the application refused? What reason was given to the Australian Red Cross for this refusal?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SARAH MITCHELL: I move:

That the House take note of answers to questions.

REGIONAL GROWTH INITIATIVE FUND COMMONWEALTH EDUCATION FUNDING

The Hon. SARAH MITCHELL (12:05): I will focus my remarks initially on the answers given by the Minister for Regional New South Wales. At the outset, I make the point that today I asked a question about regional programs that are literally under the Minister's watch. It was a very specific question about Labor's Regional Growth Initiative, which was an election commitment. It was highlighted through the Parliamentary Budget Office costings and concerned 17 projects—coincidentally, all in marginal electorates. I love hearing members opposite talk about pork-barrelling and how that will never happen under their Government. Electorates like Monaro, South Coast, Tweed and Lismore are, coincidentally, where this fund will be rolled out.

There is no information coming from the Minister about how many have been delivered or how much of the more than \$10 million allocated or promised was spent in 2023-24 on this marginal seat grant program. There were no answers. There was waffle. There was, "We care about the regions and we're going to deliver a lot, and everyone knows we're doing a great job." That is just not true. Those who live and work in regional New South Wales, like those of us on the Opposition side of the House, know full well that this Government is seriously lacking when it comes to any type of investment or initiative in regional New South Wales. The fact is that today the Minister was asked a very simple question relating to her portfolio—there was no gotcha or trick. We wanted to know where the delivery of the program is up to. The fact the question had to be taken on notice is seriously concerning when the Minister is supposed to be across her brief and know what she is delivering as the Minister for Regional New South Wales.

I will also speak briefly about the Minister's Dixier in relation to the Welcome Experience program. Last night the Hon. Bronnie Taylor talked about humility and acknowledged Ryan Park as being one of the few Government Ministers who talks about the good things the previous Government did, which were continued. The Welcome program started under the previous Government. It was announced by then Deputy Premier Paul Toole at the end of 2022. The success story the Minister spoke about today in terms of the family in Walgett all began under our Government; it was not an idea from the Labor Party. It is not Labor's initiative.

Government members have nothing new to bring to the table for regional areas. They are continuing with programs the previous Government implemented, or they are cutting the previous Government's successful programs. That is the reality of what we are dealing with. It is really important for members opposite to show humility and acknowledge that a good program should continue. We should have good public policy trumping politics. It speaks volumes about the lack of depth and the lack of programs when a Minister takes credit for programs her Government had nothing to do with.

Finally, I have a lot to say about school funding, but now is not the time. The only thing I will say in response to the Treasurer's Dixier today is that the people of the State know very well that before the election the current Premier and Deputy Premier said schools will be fully funded under Labor—if the Federal Government does not come to the table to pay the money, then this Government will. The Government has completely backflipped on that and is walking away from its commitment to the people and students of this State.

CADIA GOLDMINE

Ms CATE FAEHRMANN (12:08): I take note of the response by the Minister for the Environment. Today, the ABC is reporting that foam contaminated with PFAS chemicals has been found in the Belubula River along Central West New South Wales farmland. The discovery was made by local farmers concerned about huge banks of foam in local waterways. Samples collected, tested and paid for by the landholders showed the foam contained PFAS levels at more than 1,800 times the safe limit for a drinking source. Although the NSW Environment Protection Authority has attended the site, it has failed to disclose any results from that testing.

The Belubula is a major waterway flowing directly into the Lachlan River system. It is the fourth largest river in Australia and a significant source of urban and stock water supply and irrigation. The river provides habitat for native species including silver perch and platypus. It is contaminated with heavy metals and diesel. The elephant in the room is the source of that contamination. I have heard from a number of sources with in-depth industry knowledge who believe that Newmont's Cadia goldmine is the source. PFAS is commonly used in gold mining. It is used in all leaching, acid mist suppressing agents, wetting agents and hydrocarbon foaming agents yet, disgracefully, the Cadia Valley operation is not required to monitor for or report on PFAS levels in or around the mine.

Cadia has admitted that it used substances containing PFAS in its operations until 2015. Some sources suspect that it still is. Regardless, PFAS takes thousands of years to break down so it is more than likely that it still exists in Cadia's waste. The mine's waste is stored in tailings dams, the same dams that famously collapsed in 2018. It is the same mine that has reported an underground fire every six weeks since 2018. It is the same mine

that was criminally prosecuted for breaches of clean air regulations in 2022. It is the same mine near where, in 2023, disturbing contamination of rainwater tanks was exposed after dozens of local residents reported blood test results containing high levels of heavy metals. It is the same mine that self-reported late last year that polluted water from its operations containing arsenic, zinc, manganese and sulphate has entered the groundwater. It is clear that there has been a systemic failure to properly regulate Newmont's Cadia goldmine. Residents are being left to carry out their own testing, at significant expense. The Minister assured me, when I last asked her about the issue in May, that the EPA is on it, but it seems as if that is far from the case.

PUBLIC SECTOR WAGES

The Hon. EMILY SUVAAL (12:11): I take note of answers given by the Treasurer. I declare at the outset that I am a financial member of the New South Wales Nurses and Midwives' Association. I am also a proud member of the Health Services Union. I also worked, as many in this place know, for the New South Wales Nurses and Midwives' Association as an organiser for their public sector members under the previous Government's regime of wages caps, zero consultation and no negotiation. Its stand was "2.5 per cent or leave it. Any other savings need to come out of your 2.5 per cent." There was no negotiation. I remember the complete lack of consultation that occurred with any workplace changes under the previous Government. I remember the complete lack of improvements in any form of staffing agreements over those 12 years. In fact, the staffing agreements that were in place were repeatedly exploited, which was exposed by the union that I worked for, and I was one of the organisers that discovered the number of hours that were being stolen from our public health system by the previous Government.

Let us never forget the pathetic 0.3 per cent wage increase awarded to our public sector workers during the height of the pandemic. Let us never forget that in our first year of being in government, we started rolling out our safe staffing levels for nurses and midwives across the State. The Nurses and Midwives' Association has been asking for that for decades. As far back as I can remember, it has been its number one ask. I was really pleased to see the Minister in the other place announce recently the second tranche of that rollout. One of the hospitals included was in my local area, the John Hunter Hospital. It is a fantastic major referral hospital in our region and it is so great that it is getting the rollout of safe staffing levels that it deserves.

As one of our other first acts after coming to government, we saved 1,200 nurses' jobs. Those nurses are now permanent. There is recurrent funding for them in the budget of over a half a billion dollars, and recently we announced the second stage of that safe staffing rollout. The Treasurer has also mentioned the new mutual gains bargaining framework that will ensure that our public sector workers are able to receive negotiations in good faith, and that there are mutual gains in place.

SYDNEY METRO CITY AND SOUTHWEST

The Hon. NATALIE WARD (12:14): I take note, reluctantly, of the answers given by the Deputy Leader of the Government. The Opposition has sought answers from the Minister and the Government several times about the Sydney Metro and has sought specifics about the ghost train tickets. Commuters can buy a ride from Cherrybrook to Gadigal—the machine will happily take the money, including the GST—but the Government has no intention of providing a seat on a metro. There is no other option for travel. I am not just having fun. I take no joy in this at all, nor do the many commuters standing there waiting, or the businesses relying on the Government to make good on its word. Yet again we are seeing all talk and no action. It is all press release but no follow-through. There has been lot of work on press management but not so much on project management, and not a lot of delivery. That is disappointing.

We have questions and we expect them to be taken seriously because there will be advice about what the project plans are. Specifically, we want to know why the Trip Planner website is advising commuters that the metro service from Gadigal to Victoria Cross is running every 10 minutes. The advice on the website is "Look at the app. Please go on your phone and check the app," but when you check it says, "The metro is running so go ahead and buy your ticket." You can buy your ticket but there is no metro train coming. We ask that the Government be up-front with the people of New South Wales about its incompetence.

It is interesting that when I asked a supplementary question for a written answer to the Minister specifically about that particular trip on the metro, I got back a non-answer: "I am advised Sydney Metro City will open soon." That is not an answer to why commuters are being provided with very specific information about the only transport route and the Government being happy to take their money. That is not good enough for the people of New South Wales. All the Government had to do was open it. All it had to be up-front about was that union negotiations were underway. The Fire Brigade Employees Union is on one side and the Electrical Trades Union is on the other and clearly that will hold things up until they are happy and they get their pay rise. Then suddenly, miraculously, it might open.

We know that industrial negotiations are underway and that further concerns will be raised until they are happy. Saying that it will be open soon is not good enough for a government that promised that it would deliver on its promises, because it is clearly not. It is all talk and no action. I am happy for the Minister to raise the previous Government's record at any time. Sydney Metro North West, the first brand-new one, opened 10 months early under the Coalition Government. It opened on 26 May 2019—my birthday. What a great present. It opened 10 months ahead of schedule so it is not as if it has not been done by Transport for NSW before. Tickets were sold and guess what? Commuters could actually get the metro that was promised and was delivered ahead of schedule. The M4-M8 tunnels are another great example of an on-time, on-budget project. The cost of the current delay is \$40 million a week. That is substantial and punitive, and it is a terrible thing for the people of New South Wales. I feel sorry for those people in the blue T-shirts.

HEALTHCARE WORKERS

Dr AMANDA COHN (12:17): I take note of the Minister's response to my question on what the Government is doing to retain doctors in our public hospitals. In her answer she touted the Special Commission of Inquiry into Healthcare Funding, which will not report until well into next year, while the worst awards in the country for doctors could be fixed now. She blamed the previous Government for getting us into the mess with the public sector wage cap—and she is right—but how long will this Labor Government continue to use that excuse for not paying health workers what they are worth?

The Minister touted the current negotiations underway through the Industrial Relations Commission. The Australian Salaried Medical Officers' Federation [ASMOF], the Nurses and Midwives' Association and the Health Services Union are there fighting for their members because the Government's pay offer for the next three years is clearly unacceptable. A whopping 98 per cent of ASMOF members voted against it. The Government's pay offer for the next three years for medical interns, residents, registrars, career medical officers and medical superintendents, nurses and midwives, allied health professionals, medical imaging and radiation professionals, Aboriginal health workers, medical physicists, administrative staff, biomedical engineers, dentists, scientists, and clinical and non-clinical technicians and professionals will perpetuate the exodus of our essential health workforce to other States.

Retaining current staff—not waiting for them to leave and then running new recruitment initiatives—is better for institutional knowledge, collegiality, morale and the budget. It is clear that the current awards for our essential health workforce are threatening the safety of workers and the patients that they care for. Matching or bettering the pay and conditions of health workers in other States and Territories was recommended by the mental health inquiry. It was again recommended just yesterday by the Legislative Assembly committee looking at the implementation of the rural health inquiry recommendations relating to workforce issues. This is what our doctors have to say:

I feel complicit in harming patients because of the inadequacy of the service we provide—despite me staying back late every day to try and improve this.

Another doctor said:

Without more medical staff our unit continues to crumble and suffer and patients get much poorer outcomes ... we have been told so many times to "do more with less" and "work smarter" ... Our hospital delivers world class care despite a broken underfunded system by relying on the goodwill and flagging energy of our medical workforce that is being pushed to the brink. I have friends with mental health breakdown and burnout and even suicide in this system and nothing changes.

I remember what it feels like to be a junior doctor. In my first week as a new doctor, working as a surgical intern, I came home, collapsed on the floor and cried every day. The Government must act immediately to keep health workers in New South Wales. The Premier and the Treasurer have repeated their mantra that they cannot afford to pay health workers what they are worth, but they cannot afford not to.

COMMONWEALTH EDUCATION FUNDING

PUBLIC SECTOR WAGES

The Hon. CAMERON MURPHY (12:20): I take note of two excellent answers given by the Treasurer. The first was an answer to a question that I asked about public education funding. It was wonderful to hear the Treasurer's articulation of the New South Wales Government's increased expenditure. It is an important step that will provide enormous gains for students in the public education system. As the Treasurer said, the Commonwealth now needs to do its part and step up to match that funding increase, particularly as there are reports in newspapers today about students suffering the effects of the pandemic and having difficulties with learning. Now more than ever, we must invest more in public education. I thank the Treasurer for his good work. That work is being done in New South Wales, and the Commonwealth needs to match that.

The second answer that I take note of was about enterprise agreement negotiations. The Treasurer carefully articulated the difference between this Labor Government and what came before it. There is now a new industrial relations court, a rejuvenated Industrial Relations Commission and a framework that enables the parties—that is, the Government and the various unions that represent workers in the public sector—to engage in mutual gains bargaining where they can talk in good faith to each other to arrive at an agreement that is acceptable to all parties. Importantly, there is a process if that fails, with the Industrial Relations Commission and the court acting as an independent umpire that can make a decision about what is appropriate.

Before that, there was a wages cap. It was, "Take it or leave it; that is all you get." The then Government, the now Opposition, wanted to suppress people's wages in the public sector. It wanted to make sure people's wages were below inflation year in, year out, because inflation exceeded the 2½ per cent offer in most years. The evidence for that was the virtual cavalcade of workers that were leaving the State. Workers were going over the border to the Australian Capital Territory, to Victoria or to Queensland. Teachers, nurses and paramedics were leaving in droves because the State did not pay enough to retain those highly skilled people.

COMMONWEALTH EDUCATION FUNDING

The Hon. AILEEN MacDONALD (12:23): I take note of an answer provided by the Treasurer regarding funding for education. My recollection is a bit different to the Hon. Cameron Murphy's. If I was marking it, I would say that the Treasurer could do better in his negotiations. I say that because 1.3 million students in years 3, 5, 7 and 9 sat the NAPLAN test earlier this year, and the results reveal that one in three Australian school students are not meeting literacy and numeracy benchmarks. Furthermore, one in 10 students need additional support. What makes me even angrier is the difference between metropolitan and non-metropolitan areas, where 24 per cent of non-metropolitan students meet or exceed benchmarks, compared with 76 per cent of metropolitan students. Education delivery should not be determined by where a person lives. More than 29 per cent of students in New South Wales are now what is considered below the national standard.

Now is not the time to cut education funding. I know that there are negotiations, but the education Minister announced in April that public school budgets would be slashed by \$148 million and, further, that deputy principals would be forced to return to classrooms to fill teacher shortages gaps. The Opposition leader has said that the Government has lost control of the State's finances and that cuts would lead to declining outcomes for New South Wales students. I hate to say that that is coming true. Right when students need more support, the Government is letting them down.

ROSEHILL RACECOURSE

The Hon. MARK LATHAM (12:25): I take note of the answer regarding the Rosehill racecourse proposal. The Minns Government hit the ground reviewing. It did not have any clear vision for Sydney upon its election and is now sleepwalking its way into the privatisation of Rosehill racecourse. The committee inquiry last Friday revealed a whole range of problems. The first is that the Government has breached its own unsolicited proposal guidelines, because the Government itself solicited the proposal from the Australian Turf Club [ATC]. The Government said to the ATC at a series of meetings, "If you want a metro there, you need to increase housing density. In effect, you need to sell the entire Rosehill racecourse site, not just the strip along James Ruse Drive for 3,000 dwellings. You need to go to 25,000." The ATC foolishly walked into that proposal and has been embarrassed ever since.

The second problem is that the Government is acting on false information. The Premier and the head of the ATC, Mr McGauran, have been saying that the project can reveal and realise a sale value of \$5 billion. The deputy chair of the ATC, Tim Hale—who is well known to the ALP; he is a respected figure—said at the inquiry on Friday that there is no such valuation and that he has never believed the \$5 billion figure. Steve McMahon—again, well known to the Labor Party, particularly Chris Minns—said internally and admitted at the inquiry that they had been using a \$2 billion figure. It is based on a falsehood.

The third problem, as the Assistant President knows from visiting the Olympic Park brickpit site, is that there is no way in the world that a racecourse can be built there. Peter V'landys said that it only goes ahead if there is a viable replacement racecourse for Rosehill. At the brickpit, there is the need to protect the bell frog and, of course, the Latham's snipe, which I am told was put on the endangered list just last Friday, the same day as the inquiry. We have to look after my bird, as well as everyone's frog. More importantly, and a greater restriction on building a racecourse, the cliffs at the brickpit are man made at a 90-degree angle and will only stabilise when they get to a 30-degree gradient after decades of erosion. If a racecourse was built on top of the brickpit, it would slip into the pit itself. It is laughable. It is farcical. It is something out of a comedy routine.

Finally, the ATC has displayed its incompetence at the Sydney International Equestrian Centre site at Horsley Park by not understanding the boundaries of that site and putting forward maps for the training centre

that infringe on the woodlands. They require the bulldozing of the woodlands, which is part of the Western Sydney Parklands. I am not known for my green credentials, but for a long while, starting in local government, I have protected woodlands and vegetation in Western Sydney. Too much of it has been cleared out over the years. It is an atrocity to infringe on those parklands and bulldoze the woodlands. The Minns Government would be well advised to walk away from the Keystone-cop routine and abandon the whacky plan to privatise Rosehill racecourse.

REGIONAL GROWTH INITIATIVE ELECTION COMMITMENTS

The Hon. STEPHEN LAWRENCE (12:28): I take note of the answer the Minister for Regional New South Wales gave to the question about attracting essential workers to the regions. As a resident of Dubbo, I believe that it is a top-line issue. We have experienced so many vacancies in so many aspects of essential services. We have particularly seen it in policing. The impact on the capacity of police to fill their operational numbers and do their important work has been traversed well in this place. We have also seen it in teaching, where there have been some really positive outcomes. For example, there has been a dramatic drop in the number of teacher vacancies. Programs like the Essential Worker Attraction Program and their components, of which the Welcome Experience is a key part, have been really important.

The numbers are really impressive. Close to 1,800 workers have inquired about the pilot locations, and 511 essential workers have relocated through the program. We can compare that to similar programs in the Evocity space and specific programs for schoolteachers under the previous Government, where we have not seen a similar return on the investment. It seems to have been a really successful project. In her answer, I recall the Minister talked about Amy Loomes, a police officer who moved to Walgett. I have a bit more information about that: Amy has reported that, while living in Sydney, the family did not even have a backyard. They now have two dogs, a trampoline, a veggie garden and their very own chicken coop. I report that has also very much been my experience with moving to regional New South Wales.

I moved to Dubbo in 2010 to do a job that would probably not be classified as an essential worker; I was working as a solicitor in a community legal centre. I am pretty sure that if I had not done that, I would not have stayed there but, like Amy, I would not have the backyard or two dogs that I have and all that flows from that. I hope programs like this continue. I think it is so important to encourage essential workers across the State to consider relocating to regional New South Wales. When I was recruiting in that position, I found that there is a psychological sandstone curtain. However, as soon as you can get people to regional New South Wales, so many stay because all of the things that they might want to do in the cities they can still do, but they get an absolutely huge lifestyle benefit. It is hard for people to make the move, but when they do, like me, they often stay. We need more of it.

PUBLIC SECTOR WAGES

HEALTHCARE WORKERS

The Hon. SUSAN CARTER (12:31): I take note of answers to questions given by the Treasurer and the Minister for Finance regarding the money in the budget for wage rises. I note that neither of them was able to confirm that the 10.5 per cent over three years budgeted for public sector wage rises will be sufficient to meet the wage demands. As they both explained, all of those wage rises are going through the mutual bargaining process. What I find fascinating about this discussion, and the elephant in the room that nobody is mentioning, is that the point of a decent wage rise is that we can all afford to live well. We all want to live in a society where everybody lives well, where people receive sufficient wages so that they can pay their mortgage, pay their electricity bills, pay for their food and meet all of the other demands of living.

Yet, the direct relationship between wage growth and keeping inflation sticky, or the direct relationship between wage growth unaccompanied by productivity gains—words we are not hearing at the moment—directly drives the maintenance of the highest interest rates we have seen in quite some time. The average mortgage in Sydney has risen by \$60,000 over the last three years. Quite a wage increase is needed to be able to meet that. As we have seen, the Governor of the Reserve Bank of Australia, Michele Bullock, the chief executive of the Australian Chamber of Commerce and Industry, Andrew McKellar, the chief economist of RBC Capital Markets, Su-Lin Ong, and the chief executive of the Australian Industry Group, Innes Willox, have all been calling for public sector wages restraint if we are going to bring down interest rates.

What is the most important thing to families in the State? Their mortgages—being able to pay for the homes in which they live. What did we see in June? We saw the highest public sector wage growth in 12 years. Wage increases are fine, but bargaining cannot be conducted in a vacuum where we are not looking at the flow-on effects of inflation and mortgages. Let's be serious: Where are the real cost-of-living pressures? It is paying for housing and going to Coles and Woolworths. I had half a basket of groceries at Coles on the weekend and it cost

\$200. That is unaffordable. The cost-of-living increases driven by sticky inflation are unaffordable. [*Time expired.*]

PUBLIC SECTOR WAGES

The Hon. MARK BUTTIGIEG (12:34): In the short time available, I address some of the comments made by the Hon. Susan Carter. The honourable member made the point that we all want to live in a society with better standards of living. I do not think members opposite do, because they spent the past 10 years implementing negative wage growth. We have spent the past 12 months making sure we get positive wage growth. It is as simple as that. They should stand on their record. We stand on ours.

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. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (12:35): As I take note of answers to questions today, I begin with the question and contribution in this debate from the Deputy Leader of the Opposition. It was utterly ridiculous at best. In question time today, I was asked about projects that the Government is committed to delivering. It was a very reasonable question; people are entitled to know where things are up to. As part of that question, I took on notice some of the detail because most of the projects that were referred to are not in my portfolio. Rather than shove the question around without providing the answers that the public is entitled to, I will talk to colleagues about where those projects are up to and come back to the House. I inform the House that seven of those 17 projects are within my remit. Two of those projects are completed, and the rest are absolutely on track. As I said, I will check where the other 10 are up to and come back to the House.

The contribution from the Deputy Leader of the Opposition today had the subtext that those projects were in marginal seats. We all went to an election last year and made an offering to the people of New South Wales. After listening to people, the Labor Party made an offering to these communities, including Monaro and Lismore, about the types of facilities they want to see in their communities. We made commitments to deliver the things that people in these communities have been seeking from government, and they voted for us. So now, guess what? We will deliver on the projects that we took to an election, that we took to local communities to say, "Hey, these are the things that we know. We are listening to you. We know that you want these things in your community. We will offer, if you put us in government, to deliver those projects for you." They did, so now—shock horror—we are going to deliver those projects.

I am delighted to be delivering support to the communities to whom we made commitments for community amenity. In relation to the Deputy Leader's comment that I need to show some humility, I would suggest that she and the National Party consider some humility. They should reflect on the fact that the National Party is talking down investment in community projects and amenities like the ones that we made election commitments to deliver. That is probably why they got the lowest primary vote in their history at the last election. We are getting on with the job. We engaged with communities about their wants and needs. We made an offering of what we would do as a government. Now that we are in government, we are getting on with delivering the commitments that we made to the people of New South Wales, particularly regional New South Wales.

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

Motion agreed to.

Written Answers to Supplementary Questions

SYDNEY METRO CITY AND SOUTHWEST

In reply to **the Hon. NATALIE WARD** (13 August 2024).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

I am advised:

Sydney Metro City will open soon, and passengers will be informed of the opening date when it is determined.

LOCAL GOVERNMENT ELECTIONS

In reply to **the Hon. TANIA MIHAILUK** (13 August 2024).

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

I am advised:

All councillors in New South Wales are required under the Model Code of Conduct for local councils in New South Wales to lodge returns of their interests with the general manager of their council within three months of their election and annually thereafter and to keep them up to date.

The Office of Local Government periodically audits information in selected councils' returns of interests to ensure they are accurate and complete.

Information in councillors' returns of interests is open access information for the purposes of the Government Information (Public Access) Act 2009, and all councils in New South Wales are required to publish it on their websites in accordance with the requirements under that Act.

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

WALHALLOW VILLAGE

The Hon. ANTHONY D'ADAM (14:01): Thirty-four kilometres west of Quirindi in the State electorate of Tamworth lies the village of Walhallow on the land of the Gamilaroi people. Walhallow is the site of a former Aboriginal reserve known as Caroona Mission. The reserve of 150 acres was first gazetted in 1895 and then enlarged to 230 acres in 1899. The Mooki people were brought to that site, and from 1907 it was managed by the Aboriginal Protection Board. That dark chapter in Australian history—the dispossession of First Nations people from their land—reverberates through the lives of their descendants today. The Aboriginal Protection Board was not merely an administrative tool, but an instrument of control, oppression and cultural destruction. Its so-called protection was deeply paternalistic, rooted in the racist assumption that Indigenous people were incapable of managing their own lives.

I recently visited Walhallow with Liverpool Plains Shire councillor and Walhallow Local Aboriginal Land Council CEO Jason Allan, alongside Tamworth councillor Steven Mears, Gunnedah Shire councillor Kate McGrath, and Thom Robinson, secretary of the Tamworth branch of the Labor Party. Jason shared the history of Walhallow with us. Back when it was a reserve, a white supervisor had total control over the population. Now Walhallow Local Aboriginal Land Council is the peak representative body for the First Nations people living in the area. Established in 1984 after the Aboriginal Land Rights Act was passed, the land council has constantly focused on improving the lives of its members. It offers a range of services, including assistance with cultural and heritage matters, making claims on vacant Crown land, managing acquired land and supplying social housing. As Walhallow is a remote site, the land council is of great importance to promote the wellbeing of the community, encourage business development and provide employment and training opportunities.

In June this year, the Walhallow Local Aboriginal Land Council was awarded a \$1.54 million Commonwealth grant—the first government grant Walhallow has ever received—in support of the Walhallow Community Infrastructure Project. That project seeks to upgrade the Annie Taylor Health Post building, which houses Centrelink, the post office, the employment hub and doctors and health professionals; to rebuild the old preschool into a modern cultural centre showcasing Gamilaroi history; and to refurbish the community hall. Building a modern cultural centre and fit-for-purpose hall will allow for activities such as language classes, healing programs, smoking ceremonies, yarning circles, access to Elders and arts and music programs. Importantly, local First Nations peoples will be able to preserve their culture and pass down their knowledge. I look forward to seeing those projects completed for the betterment of the community and generations to come. I thank Jason Allan for sharing the rich Gamilaroi history and culture of Walhallow with me.

VOLUNTARY ASSISTED DYING

The Hon. DAMIEN TUDEHOPE (14:04): An interim report covering the period November 2023 to February 2024 reported that 131 people had their lives ended under the Voluntary Assisted Dying Act, including 91 who received a lethal injection from a doctor or nurse practitioner and 40 who ingested a lethal substance prescribed by a doctor. That is 1 per cent of all deaths in New South Wales in those three months. The figure is 50 per cent higher than that in Victoria after four years of legalisation. New South Wales has ended the lives of the same number of people in three months as Victoria did in the first year of legalisation.

The higher rate of State-authorised deaths in New South Wales is related to two factors. Firstly, in Victoria medical practitioners are prohibited from suggesting assisted suicide or euthanasia; the request has to come from the person. In New South Wales the option can be offered by a medical practitioner with no initial suggestion from the person. That runs the danger of planting the idea of suicide in a person's mind, along with the idea "The

doctor thinks I would be better off dead." Secondly, in Victoria the administration of a lethal injection by the practitioner is only available if there is an issue with self-administration. In New South Wales death by lethal injection can be freely chosen. Only 15 per cent of Victorian cases involve practitioner administration, compared to around 70 per cent in New South Wales.

International evidence indicates that overall rates are higher when euthanasia is freely on offer, compared to jurisdictions where assisted suicide is the only or default option. People are readier to have the doctor "ease their passing" than make the decision to suicide—so much for autonomy! Many given the suicide poison never take it, but patients will not cancel an appointment for the doctor to give the lethal injection as they think it would cause too much trouble if they "backed out now". New South Wales has entered into the culture of death. We should stop this fatally flawed experiment now.

MOUNTIES GROUP

The Hon. ROD ROBERTS (14:06): Too often in this place, licensed clubs are used as an easy target to attack, especially by those who hate fun; that was never more obvious than yesterday in the other place. That is why I will talk about the important and excellent work being done in New South Wales by the Mounties Group of clubs. Based out of Mount Pritchard in south-west Sydney, the Mounties Group is a profit-for-purpose group that aims to improve the lives of its members and the communities in which it operates. It was set up to provide a place to meet, to fund public infrastructure and to create opportunities for locals, in sport, entertainment and more. It has over 253,000 members across 32 communities. It has created 3,000 local jobs, served over three million guests and provided over 600,000 fitness classes—that is a lot of sweat and tears.

The group has spent over \$300,000 on the upkeep and maintenance of local council-owned community parks and fields. Unlike casinos or pubs, every single dollar made by the Mounties Group is funnelled back into the community. The group contributes by providing leisure, entertainment, medical, health and wellbeing services, social connection groups and, perhaps most importantly, support by way of local financial donations to the community. In the financial year of 2024, the Mounties Group contributed over \$20 million to the community—a massive amount—alongside hundreds of volunteering hours from its members.

Of the many community projects, I place particular emphasis on Mounties Care. Started in 2020, Mounties Care has provided everything from general practice, allied health and specialist medicine through to fitness centres, retirement living, in-home care and mobility aids. With an ageing population and the increasing emphasis being placed on patient care, it is an incredible and admirable feat that a community club is delivering such high-quality care to communities. The clubs focus on improving the communities they are based in.

Another notable mention is the group's sponsorship of a patient transfer rescue helicopter. The Mounties CareFlight helicopter operates a trauma service based in Westmead in Sydney. In 2024 alone it has so far undertaken 395 missions, with 260 people being transported by that helicopter. Within three minutes of tasking, the Mounties Care CareFlight Helicopter is in the air providing a valuable service to the people of New South Wales. With that in mind, special acknowledgment should be given to the Mounties Group CEO, Dale Hunt, and his chief operating officer, Darren Marino. Those gentlemen have overseen the continued success and growth of the group. The Mounties Group model sets the standard for service to the community, and I hope other groups in New South Wales look to it as a benchmark.

AUSTRALIAN WORKERS' UNION

The Hon. MARK BUTTIGIEG (14:09): Following a settlement with the Australian Workers' Union, it is estimated that over half a million dollars will be returned to transport workers in New South Wales. Late last year the Australian Workers' Union [AWU] raised an issue with the Industrial Relations Commission over a group of transport workers receiving incorrect pay when stepping into jobs with higher duties. That occurred because the roles are under separate Roads and Maritime Services awards, with wage-earning staff on the one hand and salaried staff on the other, and each with different pay and conditions. Staff on wages ordinarily worked 38 hours per week, while salaried staff ordinarily worked 35 hours per week. Wage-earning workers stepping into salaried roles still worked the additional three hours per week, which led to disagreement between the union and Transport for NSW over how their higher duties allowance was calculated.

The two opposing methods were A, calculated on a per-weekly basis, meaning workers would receive the exact same flat amount as others ordinarily performing the role regardless of the fact that they worked an additional three hours; or B, calculated on a per-hour basis, meaning the workers stepping into the role would be paid the same hourly rate as others in the job plus the additional three hours. The AWU favoured the per-hour method because it accurately reflects the total number of hours worked by wage staff stepping into the salaried staff roles. The hearing of the dispute took place in the Industrial Relations Commission on 6 November 2023, and the decision was handed down in February 2024. The orders supported the AWU's view and recommended

that they meet with Transport for NSW representatives and work on the next steps. The result was announced in early July following a settlement. An estimated \$580,000 will be back-paid to impacted workers. That is a monumental result, and I congratulate the AWU, particularly the secretary, Tony Callinan, the legal team, and the union member who raised the issue.

The AWU recently launched its NSW Mine Workers' Alliance in partnership with the Mining and Energy Union. Together, those mighty unions will represent workers in metalliferous mining all over New South Wales. I read about that alliance in the AWU's national journal, *The Australian Worker*, which was recently relaunched by the national secretary, Paul Farrow. Unions like the AWU are doing good in New South Wales. Over the past year, AWU members at Tomago Aluminium raised \$80,000 for the Westpac Rescue Helicopter Service. People who think unions are irrelevant are patently wrong. [*Time expired.*]

PIERRE POILIEVRE

The Hon. CHRIS RATH (14:12): Over the past decade it has often been dispiriting for classical liberals and small government conservatives in the Anglosphere to not be led by the same type of principled and determined global figures as Margaret Thatcher and Ronald Reagan in the 1980s. Great leaders, of course, followed them, like George H. W. Bush, John Howard, David Cameron, Stephen Harper and John Key. But, for the past decade, depressingly, there has been no right-of-centre leader of the same calibre. However, today I have high hopes for Canada's conservative opposition leader to take up that mantle. Pierre Poilievre stands alone as the global leader that classical liberals and small government conservatives are looking for. He is not a boring managerial centrist, nor a far-right populist reactionary. We should look to him for policy and leadership inspiration. We certainly should not be looking to Donald Trump. Nor, unfortunately, can we draw any policy nourishment from the Stalinist-style market intervention in the energy and supermarket sectors proposed by the Federal Coalition.

Pierre Poilievre is different. He is tough, articulate, intelligent, principled, and pragmatic and ambitious enough to know how to defeat Prime Minister Justin Trudeau and his hard-left alliance. Poilievre's policies include a war on debt and deficit, where any increase in government spending must be simultaneously offset by cuts; industrial relations deregulation; privatisation; elimination of subsidies; and overall lower taxes, including payroll tax and capital gains tax reform. But his best policies overall are probably on housing, especially in contrast to Trudeau, who constantly misses his housing targets, with home ownership now becoming a pipe dream for most young Canadians. Poilievre is proposing to tie state infrastructure funding to housing targets. If housing is not increased by 15 per cent in a jurisdiction, then no new infrastructure will be built. Similarly, cities that meet and beat their housing targets get a \$10,000 incentive for each additional new home built. If they fall short, money is stripped away. Underutilised government buildings are also proposed to be sold off to developers.

As a result of those housing policies, young Canadians are now almost twice as likely to vote for Poilievre than Trudeau. There is nothing inherently left wing about generation Z and millennial voters. In many ways they are classical liberals because they just want to own a home and be left alone. But our values of freedom and the individual have not resonated. That is why we all need to be a little bit more like Pierre Poilievre. I greatly hope he will be our Thatcher or our Reagan of this era.

NUCOAL RESOURCES

The Hon. JOHN RUDDICK (14:15): I am pleased that the Treasurer is in the Chamber to hear this important statement about a grand theft against innocent investors by this Parliament. NuCoal Resources was a publicly listed mining exploration company. The company held a coal exploration licence in the Hunter region. It had a significant proven resource, so NuCoal raised money from mum-and-dad investors plus United States and Japanese investors. The licence cost NuCoal \$94 million, and it spent \$40 million developing its asset. In 2013 ICAC launched an investigation into NuCoal's exploration licence. ICAC found five people, including former Minister Ian MacDonald, had acted corruptly. However, the issuing of the licence had nothing to do with NuCoal. NuCoal had merely bought an exploration licence.

Two ICAC reports have found that NuCoal investors were "innocent parties". ICAC recommended cancelling the licence, but it also found that compensation should be paid to innocent parties. The licence was cancelled but no compensation was paid. No director from NuCoal has been charged with a crime in a court of law. John Maitland and his wife are here today. John served three years in jail over the original issuance of the licence but, in 2022, he was released and fully acquitted. This Parliament wiped out around \$400 million dollars in shareholder value. Many Australian and foreign investors have lost significant money. Contractor to NuCoal Warwick Howarth from Howarth Drilling took on debt for the work he was promised. Warwick lost everything and now lives in a tent.

After ICAC's findings in 2014 this Parliament passed the Mining Amendment Act, which cancelled NuCoal's exploration licence but also legislated away the NuCoal investors' right to compensation. Reverend the Hon. Fred Nile introduced a bill that would have delivered compensation. That bill was sent to a 2019 inquiry of the Standing Committee on Law and Justice, which unanimously recommended compensation be paid to innocent NuCoal investors. I intend to introduce a similar bill, but one which recommends that compensation be paid over a period of time. The NuCoal saga is a textbook example of sovereign risk.

I encourage the foreign NuCoal investors to study the free trade agreements Australia has with Japan and the United States. My reading of article 11.7, sections 1 and 2 of the Australia-United States Free Trade Agreement strongly suggests innocent foreign investors have a claim for compensation. I also understand that high-level United States trade officials want an investigation, but they are being stonewalled by the Federal Government. If foreign investors are paid compensation, local mum-and-dad investors should be too. The innocent NuCoal investors deserve compensation. New South Wales should be advertising to the world that it is pro-investment and that our Parliament does not unjustly cancel commercial arrangements without compensation. Libertarians oppose increases in government spending, but a gross theft at the hands of the State must be rectified. My message to the victims of NuCoal, many of whom are here today, is a line borrowed from Gough Whitlam: Maintain the rage—and investigate the free trade agreement angle while I and others do what we can in this place.

WOMEN'S FORUM AUSTRALIA

The Hon. GREG DONNELLY (14:18): Members of both Houses would be aware of the impressive consultation, research, publishing and advocacy work undertaken by Rachael Wong, the CEO of Women's Forum Australia. Without fuss or fanfare, Rachael engages with MPs to lay out and explain the details of the impact of proposed and current policies and laws on women and girls in New South Wales and across Australia. Those who know Rachael or have dealt with her find her thorough, respectful, calm and focused in what she says and writes.

As honourable members are aware, there was some significant public discussion recently regarding the women's boxing competition at the Olympic Games. Two competitors who were not required by the International Olympic Committee [IOC] to undertake sex screening were permitted to compete in the women's boxing competition. Both of them ultimately won gold medals. From the information available, it appears that the two boxers have "differences of sex development", meaning that were raised female and did not exhibit male traits until they began to go through male puberty.

The two individuals in question had been previously disqualified from female competition in the world championships for tests confirming male—or XY—chromosomes. In publicly commenting on the matter, Rachael Wong stated, "My position has always been to condemn the International Olympic Committee and its ideologically driven policies." She noted that they prioritise inclusion over fairness and safety and are failing female athletes. On her LinkedIn account, she also questioned the decision of the IOC to require two female boxers to compete against individuals who had XY chromosomes.

On any assessment, Rachael's comments can only be described as considered and reasonable. Nothing disrespectful was said regarding the two boxers in question, and her focus was specifically on the welfare and safety of the women who were required to compete against them. It therefore came as not just a surprise but a shock that on Tuesday morning LinkedIn locked the Women's Forum Australia account and denied Rachael access to it, with the threat of being removed from the platform entirely. The reason given for the lockout was hateful speech. Those actions by LinkedIn are another example of the company's appalling behaviour in censoring free speech about the reality of human biological sex; about women's sex-based rights to female-only spaces, services and sports; and about the harms of gender ideology. I hope many others will join me in calling on LinkedIn to immediately cease and desist from censoring Rachael Wong and Women's Forum Australia and to unlock their accounts.

LIVE SHEEP EXPORTS

The Hon. SAM FARRAWAY (14:21): I speak today about the Portfolio Committee No. 4 - Regional NSW inquiry into the impact of the phase-out of Australian live sheep exports by sea on New South Wales, in particular the economic and social impacts that phase-out would have on regional communities. I am pleased that the committee is going one step further and ensuring that transport operators, fodder and grain producers, meat producers, shearers, truck drivers, livestock agents, and their families and community members will all be a part of that process.

We should not kid ourselves—the inquiry is driven by the reckless policy decisions that have come out of the Labor Government in Canberra. Banning live sheep exports from Australia is only step one in the Federal Government's plan to ban live exports more broadly. It tried that once before and was not successful in the end, but the reckless policy approach from Canberra has dire consequences. There will be flow-on impacts to eastern

markets from the decision. Some 3,000 people are employed as sheep producers in Western Australia. If they cannot afford to transport and truck those sheep to eastern markets or if there is not the capacity in eastern markets to take them, and if there is a ban on sending them via live export, then there is unfortunately only one thing they can do. That is to shoot the sheep, which should never happen in modern-day Australia.

Labor and The Greens in Canberra carry on about animal welfare standards, but that issue has already been addressed. Australia now has the highest animal welfare standards in the world, and we should be proud of that. It was an issue once upon a time but has now been addressed. To my knowledge, we are the only country in the world that has a vet on board from end to end. Shutting down live sheep exports will damage our economy and our trading relationships. It will hurt food security in the Middle East. Countries that engage with the industry will just look to other nations to source their live exports. That will come with poorer welfare standards and will be to the detriment of our national economy, and possibly our State economy in regional New South Wales as well. I encourage people to get involved and make submissions. That important inquiry may have grave consequences for agriculture in regional New South Wales.

AUSTRALIAN PUBLIC SECTOR ANTI-CORRUPTION CONFERENCE

The Hon. TANIA MIHAILUK (14:24): I inform the House that in the past two weeks I had the wonderful opportunity and privilege to attend the Australian Public Sector Anti-Corruption Conference in Darwin as a member of the Committee on the Independent Commission Against Corruption. With me was the deputy chair of the committee, the member for Castle Hill, and one of the other committee members, the member for Winston Hills. We were delighted to be there alongside 400 delegates from across Australia, including members of different anti-corruption commissions and parliamentary committees, as well as staff, lawyers and many members of the public service. It was an excellent conference and a wonderful opportunity to meet the new Commissioner of the National Anti-Corruption Commission, the Hon. Paul Brereton, who was one of the guest speakers. It was hosted by the Northern Territory Independent Commissioner Against Corruption.

The conference also had many guests from the United Kingdom. It was a great way to meet members of the public service to discuss how best to combat corruption in our own States and nationally. There was also a great discussion on different policy topics including how to manage lobbying—which is a huge problem for governments—and issues around integrity, good governance and conflict of interest. Our very own ICAC chief commissioner, the Hon. John Hatzistergos, gave a fantastic presentation. His team provided much of the policy work that the conference relied upon. While anti-corruption commissions work very hard and diligently to prevent, stop and investigate corruption, a lot of their work also looks at how to educate the public service, businesses and the broader community about what corruption is and how best to prevent it in the future.

I also had the opportunity to attend a terrific workshop on the issue of probity. A lawyer from Mills Oakley, Scott Alden, relied on a number of documents that the commission in New South Wales developed. It speaks to the great work that ICAC does that members of the community across other States rely on the work that it has produced. Sadly, many examples of corruption come from New South Wales, and they were cited at the conference. But, all in all, it was a terrific conference. I encourage other parliamentarians to attend in the future.

LOCAL GOVERNMENT ELECTIONS

The Hon. STEPHEN LAWRENCE (14:27): Last night I spoke in the House about the upcoming local government elections. We all have a stake in local government because we all live in local communities and benefit from the services of local governments. However, people in metro areas do not always appreciate the diversity of local government activities in regional New South Wales. People often talk about the three Rs—roads, rates and rubbish. They are very important, but local government also plays a broader role in arts and culture, economic development, tourism and even child care. Local councils manage an incredible amount of infrastructure, such as pools, libraries and roads. Every year they spend a fortune of our money on delivering local services to our communities.

The Minns Government is taking lots of steps to positively support local government; not least is a \$252 million investment in local government apprentices. In the past the local government sector was more involved in the apprentice system. A lot of people got their start through a local government apprenticeship. That has dwindled somewhat in recent years, or perhaps decades. The Minns Government is determined to reignite that sector, which is why it has decided to make this \$252 million investment in local government apprentices. When people think of apprenticeships they often think of trades like plumbers, electricians and so forth. But this apprentice system will be extremely diverse to reflect the varied operations of local government. It will focus on hiring in-demand positions like electricians, plumbers, engineers, civil construction workers, mechanics and so forth, but it will also offer positions for planning cadets, for people working in child care, and for a whole range of occupations, reflecting the real diversity of local government operations.

Through this \$252 million investment we will train up the next generation of skilled labour and address the skills shortage, while supporting jobs within local councils and reversing the very unfortunate trend of councils outsourcing jobs to contractors. It will boost our regional workforces and, most importantly, the capacity of our councils and, through doing so, head off the threats of privatisation and outsourcing.

The PRESIDENT: Order! It being 2.30 p.m., according to the determination of the business committee of Tuesday 13 August 2024, proceedings are now interrupted to allow private members' business item No. 148, standing in the name of the Hon. Jeremy Buckingham, relating to the Petroleum (Onshore) Amendment (Liverpool Plains Prohibition) Bill 2023, to take precedence until concluded or adjourned.

Bills

PETROLEUM (ONSHORE) AMENDMENT (LIVERPOOL PLAINS PROHIBITION) BILL 2023

Second Reading Debate

Debate resumed from 13 September 2023.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:31): As the Minister for Natural Resources, I lead for the Government in debate on the Petroleum (Onshore) Amendment (Liverpool Plains Prohibition) Bill 2023. I thank the Hon. Jeremy Buckingham for his continued advocacy on this issue, in this Parliament and in previous Parliaments. I indicate that the Government will be opposing the bill. I acknowledge the large contingent of community members in the public gallery today. As some of them would be aware, I visited the Liverpool Plains in April and met with a range of community members and First Nations people to understand the community's perspectives on the Narrabri Gas Project. I also visited the gas project. I understand the community's perspectives and the concerns raised by those who live on the Liverpool Plains. One gusty afternoon, I climbed to the top of a grain silo just outside Gunnedah to look out over the Liverpool Plains, to see it for myself.

It is certainly an issue that the community has deep and passionate views on, and it was very important for me, as the Minister, to hear their concerns firsthand. That being said, as I told members of the community on the day, Labor does not oppose the Narrabri Gas Project. We acknowledge that the Labor Party has taken a different stance at previous elections, but now that the project has gone through the independent planning process, we accept that it will go ahead—although, that is ultimately a decision for the company—with appropriate safety and environmental conditions. I am standing where the Minister for Energy and Leader of the Government usually stands. She has spoken many times about the important supporting role of gas in our transition towards a net zero future. Certainly, the Government will be taking into consideration the need for secure, reliable and affordable access to gas. That is important for industry, for businesses and for homes across New South Wales.

The Federal Government is continuing its work in relation to how gas will support the transition to net zero. It has released its *Future Gas Strategy*, setting out the Commonwealth's plan for gas production and consumption in New South Wales. That strategy highlights the importance of gas for building local industry and ensuring electricity prices remain affordable. These are driving factors that the New South Wales Government agrees with. We understand the importance of a reliable source of gas, but also the need to keep electricity prices low. In terms of the specifics of the bill, as members would be aware, the Santos Narrabri Gas Project is the only active petroleum project in New South Wales, after AGL's Camden Gas Project ceased production last year.

The Independent Planning Commission approved the Narrabri Gas Project in 2020, subject to 134 conditions. Fracking at the Narrabri Gas Project is prohibited by the planning approval conditions of consent. Members of the Narrabri community raised concerns with me about the potential damage that could be caused by the project, but the extraction of gas is managed under a robust regulatory framework. In relation to the project itself, Santos is yet to make a final decision on whether it will proceed. There are some native title matters that require resolution and, ultimately, as I said earlier, it will be a decision for Santos whether to go ahead, based on the financial viability of the project.

When I visited the Liverpool Plains and surrounding region, I met with a range of diverse stakeholders to get their different perspectives on the project. I think that is really important. Stakeholders have a very strong advocate in this place in the Hon. Jeremy Buckingham. He has brought the bill on today for debate and I accept that it is an important one for this House to consider. The Hon. Jeremy Buckingham has asked me questions in this forum and elsewhere about the *Future of Gas Statement* that was issued by the previous Government. I said then and will say again now that I am committed to updating that statement over this term of government. But the nature of government is that we have to balance a range of competing priorities. We will work through the document carefully and methodically to update it.

In conclusion, I understand that this is a very important issue for the Narrabri region. I respect the fact that we have so many people here today to listen to the debate. I thank them for travelling here today, and also for the feedback that they have given to me personally, to the department, to my office and to the Hon. Jeremy Buckingham. Both he and I have met with constituents on multiple occasions to speak with them about this issue. I understand the community has a range of different perspectives. This is one of the many issues that the Government will work through carefully and methodically. The Government opposes the bill but understands the concerns that have brought the bill to the House today.

The Hon. SARAH MITCHELL (14:38): On behalf of the Opposition, I contribute to debate on the Petroleum (Onshore) Amendment (Liverpool Plains Prohibition) Bill 2023 brought forward by the Hon. Jeremy Buckingham. Like the Government, the Opposition does not support the bill. However, I put this on record: I have lived in Gunnedah for most of my life and my family goes back several generations there. I know more than many members of this House how strongly and passionately people feel about this issue. I acknowledge the stakeholders who have come here today. I also acknowledge the Hon. Jeremy Buckingham. While we do not always agree on policy outcomes, I know he has been working with the local community on this issue for a long time. In this place we do well when we respect each other's views, even if we do not necessarily agree with them. I acknowledge the work he has done in this space.

As the Minister for Natural Resources indicated in her contribution, these are complex issues and there are mixed views in the communities of Gunnedah and Narrabri about what the future should be for that region. For many years, people have valued the important role the agriculture sector plays in that part of the world, but we have also had mining for many decades around Gunnedah and the Narrabri basin. Those communities are used to living with the operation of both agriculture and mining. Particularly in Gunnedah—and this is also applicable to Narrabri—getting that balance right is important. Those views help inform our position.

Gas is a critical component of our energy mix. It provides a reliable and flexible source of power and is important to make sure we meet base load and peak demand. Gas plays an increasingly crucial role as we move into sustainable renewable energy. We will need the backup of gas to ensure that the energy grid remains stable and electricity prices remain affordable. The Opposition has concerns that if we restrict gas exploration and production, as the bill intends, it will undermine our State's secure, stable and affordable energy supply. The exclusion zone would cover some of the most promising areas for gas development, which have the potential to contribute to our energy needs. The Opposition has always said that gas is an important part of the energy mix and can be a key driver in bringing down power prices.

The Opposition also has some concerns about the broader repercussions of the bill. The regions targeted by this legislation, including the Liverpool Plains, Gunnedah, Narrabri and Warrumbungle shire, are important agricultural hubs but are also areas where, done properly and with the right balance, gas development can bring substantial economic benefits. As the Minister indicated in her contribution, the Narrabri Gas Project initiative promises to bring jobs, stimulate local economies and provide opportunities for revenue. The bill would not only halt future gas projects but also cancel existing petroleum titles where no mining operations have yet begun.

The reality is that the local economy, particularly in Narrabri and Warrumbungle shire, is heavily dependent on resource development. The bill does not provide any compensation for those losses, which leaves local communities and businesses to bear the brunt of the policy shift. When the Opposition was in government, it always advocated for a balanced approach to resource management that takes into account the need for energy security, economic development and environmental protection. As the Minister said in her contribution, the Narrabri Gas Project received approval from the Independent Planning Commission following a rigorous assessment process. That approval was not granted lightly. My understanding is that it came with 134 consent conditions designed to safeguard food security, protect the environment and support economic growth. Among those conditions is a strict prohibition on fracking, which the Minister also alluded to, ensuring that the project operates within the high standards of environmental responsibility.

As I said at the outset, I appreciate that people feel very strongly about this issue; it is very emotive. Many people in the community would not agree with what I am saying but many would. They can see the need to balance supporting and protecting our agricultural land with allowing opportunities for gas exploration in areas where it is appropriate. Some of the benefits of the Narrabri Gas Project are 1,300 construction jobs and 200 ongoing jobs during its operation. A regional community benefit fund will also be established once the project reaches production to provide up to \$120 million over the life of the project to fund local programs and infrastructure in the Narrabri region. These are big projects that have the ability to support regional communities, and that needs to be put on record.

Finally, when the Liberals and The Nationals were in government, in 2021 we released the *Future of Gas Statement*, which outlined a strategy for responsible gas development in New South Wales. That strategy was developed in consultation with local communities and industry, ensuring that gas exploration and production

would occur in a way that respects both the environment and the needs of our rural communities. Through that approach, we significantly reduced the footprint of petroleum exploration licences, cutting the land covered by those licences by 77 per cent between 2011 and the 2023 election. We listened to the concerns of those impacted by gas production and made it clear where gas development can and cannot take place. Our record shows that balance and demonstrates a commitment to protecting prime agricultural land while recognising the importance of developing our State's natural resources. However, zombie petroleum exploration licences and PELs over prime agricultural land on the Liverpool Plains need to be managed appropriately. Our *Future of Gas Statement* set out a balanced approach to securing gas supplies and working with industry, backing in the Narrabri Gas Project but also being clear about where gas exploration and production will and will not occur.

As I said, the Opposition has concerns about the current bill's widespread unintended consequences across a range of sectors, including potential job losses in Narrabri and Warrumbungle shire councils. We stand by our record of managing resources responsibly, protecting agricultural land and fostering economic growth in regional areas. I thank and acknowledge the leader of The Nationals, Dugald Saunders, who has met with a number of people to discuss these issues. I also acknowledge my colleagues Kevin Anderson, Brendan Moylan and others, who understand the need to get the delicate balance right and who also feel very strongly about making sure that the right supports are in place. We must continue to pursue a balanced approach that secures our energy future while supporting the livelihoods of our rural communities.

Ms CATE FAEHRMANN (14:46): On behalf of The Greens, and as the coal, gas and mining spokesperson for The Greens, I support the Petroleum (Onshore) Amendment (Liverpool Plains Prohibition) Bill 2023. I acknowledge at the outset the people in the public gallery, many of whom I have worked with on this issue in the past. It is great to see them all here. The bill aims to protect an area defined as the Liverpool Plains exclusion zone from the development of petroleum extraction, including the extraction of both conventional and coal seam gas. For more than 15 years, The Greens have stood alongside local landholders, traditional owners, conservationists and climate activists in their campaigns against coal and gas projects in the Liverpool Plains, so it is not surprising that The Greens strongly support the bill.

I mention some of our track record. We have introduced bills in the past. In 2021 I was proud to introduce the Coal and Gas Legislation Amendment (Liverpool Plains Prohibition) Bill, which ultimately did not get debated but was second read. At this point it is important for me to acknowledge the enormous contribution on this issue over many years of the mover of the bill, the Hon. Jeremy Buckingham, mainly as a Greens spokesperson—I acknowledge that as well. I worked very closely with him and, in fact, handed over the portfolio when he was elected. Before me was Lee Rhiannon, who in 2008 or 2009 organised the first rally of Liverpool Plains farmers against coal outside Parliament House. So, having been alerted to the issues, The Greens have been there from the outset.

I want to make sure that I speak first about the cultural significance of the area. These are predominantly the lands of the Kamilaroi nation inhabited by First Nations people speaking the Gomeroi-Gamilaraay language for about 40,000 years or more. Gomeroi people view people and country as interdependent entities linked through the landscape, culture and spiritual significance. The wellbeing of Gomeroi people is directly influenced by the health of the environment or country and the degree to which they are actively involved in management, ownership and caring for country. The Gomeroi people registered a native title claim in 2012, which is yet to be determined. They have been fighting against mining development on their lands for decades. The latest battle, as we know, is against Santos's outrageous proposal for coal seam gas mining in the Narrabri region.

The area Santos proposes to mine includes the Pilliga Forest, which I have visited many times. It is an area of major cultural importance for Gomeroi and a historical meeting place for different tribes, ceremony and lore. There are hundreds of recorded Aboriginal sites within the Santos project boundary. I have met Gomeroi representatives on Gomeroi country who have told me about the enormous impact that coalmining has had, and continues to have, on their connection to country and how they are so determined to stop gas mining from doing the same. The project will be incompatible with the continuing cultural practice on country, risking the extinguishment of any native title rights. North-west New South Wales is an area of high biodiversity values. Unfortunately, a lot of those values have been lost, which is why it is so important to protect what is left. Local threatened species include our incredible iconic koala, the squirrel glider, the spotted-tailed quoll, the grey-crowned babbler, the hooded robin, the powerful owl, the regent honeyeater, the turquoise parrot, the Booroolong frog and the southern purple spotted gudgeon. It is the only place in the world where the tiny Pilliga mouse is found.

The Pilliga Forest is a vast intact landscape, a refuge for birds and animals and a recharge area for the Great Artesian Basin. My notes say that the Liverpool Plains is some of the best and most productive agricultural land in the country, but after visiting the land and speaking to many of the landholders, I will get rid of "some of" and say, "the best". It is often called our nation's food bowl. The plains produce both winter and summer crops due to

their high quality soils and good water access. They yield about 40 per cent above the national average of food per hectare. I have stood in some paddocks on the Liverpool Plains with landholders who have proudly dug the soil in their paddock and showed me its incredible quality.

The Liverpool Plains are located over the largest underground water system in the Murray-Darling River system, and it is a critical catchment area for the Murray-Darling. A water study produced by Professor Ian Acworth estimated that at the current rates of extraction and the establishment of the coal seam gas industry, the aquifers on the Liverpool Plains would be completely drained by 2040. Professor Acworth's research was undertaken by BHP during its period of exploration for the coalmine proposed for Caroonna—I remember that—and abandoned in 2016 after a massive campaign by Liverpool Plains landholders. That research proved unequivocally the interconnectivity between aquifers.

But all of that research on the risk to water and aquifers has largely been ignored by Santos. Professor Acworth's work was one of the major reasons that Shenhua withdrew from the Watermark coal project. The company knew it would not be able to produce a coherent water plan. Another reason was the Upper Hunter by-election. Let us not forget the politics of this issue and how the community has been a political football between the various parties on the various coal and gas projects that have been offered up. In 2021 John Barilaro announced Shenhua would withdraw its mining lease at a cost of \$100 million to the taxpayer, on top of the bunch that had already been paid out to Shenhua, and also on top of the \$200 million that BHP got to abandon its Caroonna coalmine plans. Let us remember that in the next breath John Barilaro also released the *Future of Gas Statement*.

The Hon. Wes Fang: Hear, hear!

Ms CATE FAEHRMANN: I acknowledge the interjection. The National Party gave it the tick of approval. That is absolutely incredible and really does symbolise the National Party's respect for landholders when it comes to their fight against greedy coal and gas companies. Let us remember that the *Future of Gas Statement* essentially gave the tick of approval to Santos basically exploring and, potentially, developing 1.3 million hectares of the Liverpool Plains. We have just heard from the Opposition spokesman on this issue saying that they struck a balance. I do not think 1.3 million hectares of the Liverpool Plains and the Pilliga State Forest being opened up for coal seam gas is anywhere near striking a balance.

What will it really take for governments of any political persuasion to rule out once and for all destructive fossil fuel projects on the Liverpool Plains? It is incredibly disappointing to hear both the contributions today as though we have not moved forward, as though the community has not been fighting coal and gas projects for 16 years, as though we are not in a climate crisis and an ecological crisis, and as though we can just keep going with business as usual and develop a gas project, for goodness sake, at a time when the International Energy Agency is saying we cannot have any new gas projects if we intend to leave a safe climate for future generations. But here we are, as though we are back in 2006—or, in fact, 1996. I state for the record exactly what this proposal is: Santos proposes to drill up to 850 gas wells over 95,000 hectares of farmland and the Pilliga Forest near Narrabri.

Santos has already drilled approximately 70 exploration wells—perhaps more by this stage—that already show the dangers. There have been multiple toxic spills from those wells, killing wildlife and contaminating aquifers with uranium and heavy metals. I visited the Pilliga Forest more than a decade ago and saw some of those spills and the trail of destruction—the dead vegetation around each coal seam gas well pad. Now Santos is proposing 850 of them, which is a hell of a lot of vegetation and biodiversity put at risk in the precious Pilliga Forest. We also know that what Santos is doing about the coal seam gas wells is largely business as usual for Santos. We have seen Santos's record—not just in New South Wales but in the Beetaloo basin. I am protected by parliamentary privilege so I can say this in Parliament about that organisation or company: They are corporate criminals. The project also requires the construction of two gas pipelines: the Hunter Gas Pipeline and the Narrabri Lateral Pipeline.

High pressure gas pipelines require extensive land clearing and digging of deep trenches. There are also associated risks with building pipelines, such as fires or explosions, erosion of soils and pollution of waterways, the spread of weeds and diseases, property devaluation, emissions from leaks and venting, and health risks from living near the pipelines. Santos is currently visiting landowners along the route of the pipelines and attempting to negotiate easement agreements. Many landholders are extremely concerned about the way Santos is doing that. I have spoken with a number of them, who have told me that the agreements being provided to landholders include unfair and unjust terms, with very little financial compensation offered. If landholders wish to seek legal advice on those agreements, Santos will pay for it only if the landholder ultimately enters into the agreement. That is absolutely extraordinary.

The behaviour of Santos in negotiating the easement agreements is so concerning that, following a number of complaints, the Department of Climate Change, Energy, the Environment and Water has undertaken an

independent investigation. We are yet to see its outcome, but I have been told that it is being frustrated by Santos. There also is a risk of substantial fugitive methane emissions associated with the extraction and distribution of coal seam gas. For that reason, coal seam gas may prove to be more damaging to the climate than coal and gas. In 2017 Santos submitted a development application and environmental impact statement to the Department of Planning, Industry and Environment. Some 23,000 submissions were received in response, including from First Nations groups such as the Dharriwaa Elders Group, the Gomeroi Traditional Custodians and the Narrabri Local Aboriginal Land Council. Ninety-eight per cent of those 23,000 submissions were opposed to gas development in New South Wales.

Arguments included the need for New South Wales to take urgent action to address climate change; unacceptable quantities of direct, indirect and fugitive emissions produced; downstream impacts of emissions; and impacts upon land, water, biodiversity and country. A seven-day public hearing was held by the Independent Planning Commission [IPC] and 366 people addressed the hearing. Of those speakers, 345 objected to the project; only 18 supported it. I note that the speaker for the Government and the speaker for the Opposition, the Hon. Sarah Mitchell, both spoke highly of the IPC process. Significant issues raised in the public hearing were impacts on Aboriginal cultural heritage and climate change impacts.

The Gomeroi people have also been fighting the project in the courts. Given the native title rights of the Gomeroi, Santos was required to negotiate in good faith to obtain the Gomeroi people's agreement to the granting of petroleum titles. However, over seven years of negotiating, no agreement has been reached. As a result the matter has ended up in the courts. Santos filed a future act determination application and the Gomeroi alleged that Santos failed to negotiate in good faith. As I said, it is a complaint that landholders and communities dealing with Santos have made ever since the beginning of those dealings.

The Gomeroi told the court that Santos had made false representations to them, encouraged them to act contrary to legal advice and offered them compensation significantly below market value. After a hearing in the National Native Title Tribunal in 2022, which ruled in favour of Santos's application, the Gomeroi successfully appealed on the basis that the tribunal had failed to consider the impacts of the project on climate change. That is one of the many examples of First Nations communities fighting against mining companies that are trying to assert control over and destroy their traditional lands.

I have also received correspondence, as other members in this place have, from the following groups, who are all urging me to support the bill: NSW Farmers, the Country Women's Association of NSW, the Mullaley Gas and Pipeline Accord and the Liverpool Plains Action Group Incorporated. It also needs to be put on record that the union movement in this State is strongly opposed to any gas projects in the Pilliga and on the Liverpool Plains. Unions NSW and its union membership are formally adopting a position against the project and are actively supporting the Gomeroi in their fight to protect their country against the impacts of gas extraction. A couple of hundred union members travelled to the area last year in support of the campaign to protect land, water and country. I acknowledge the Coalition's assertion that a ban on gas extraction in the Narrabri Shire and Warrumbungle Shire Council areas will lead to significant job losses. The union does not think so. I cannot fathom the contention that there will be significant job losses—the Opposition said 13,000—when the only gas project currently proposed in the region is Santos's Narrabri project, which is yet to start.

It also important to state, because it has been brought up by both sides, that we do not need more gas. We are constantly hearing that there is an east coast gas shortage, but it is a false narrative. We have plenty of gas; we just keep exporting it overseas. More than 80 per cent of gas produced here is either shipped to Asian markets as liquefied gas or used to liquefy gas for export. The most absurd argument to date is that we are mining gas because it will keep electricity bills down. All the science is in and the reports are in. Renewables are what will keep—and in fact are—driving our electricity prices down. Global gas cartels continue to drive up the price because they are more interested in their share prices for shareholders. Gas is to blame for high electricity prices, and it is appalling that the Government peddled a lie during this debate.

The International Energy Agency expects that global demand for gas will peak before 2030 and then go into a structural decline. In fact, it has said that there can be no new gas fields globally if we are to achieve net zero by 2050. It is fantastic that this Government has introduced a Net Zero Commission. At the same time, it cannot say that it has no avenue to stop Santos from developing a gas field on the Liverpool Plains and in the Pilliga Forest. The Labor Government is saying that it has no avenue whatsoever. That is absolutely extraordinary, because it has avenues. It could do almost anything if it had the courage and the vision.

According to a new Climate Council study, the world faces a huge oversupply of gas from 2026, making it more cost efficient for gas corporations to buy gas from cheaper, established sources than to invest in new projects, particularly as overall demand for gas declines. Gas from Australia's existing projects through to 2035 would be enough to power our domestic energy needs for 64 years. We do not need more gas and we certainly do

not need more destruction of our land, risking Gomeroi country, wildlife habitat, and our beautiful and wonderful Murray-Darling Basin and the aquifers that support it.

Let us not forget the Liverpool Plains community, the Gomeroi mob and their supporters, and their incredible 17-year fight to have coalmines closed and exploration licences withdrawn. The stress, the pain, the financial worries and the impact on their physical and mental health has taken an extraordinary toll, but they will never give up. Just bloody withdraw it. Support the bill. Gas is not needed.

[Interruption from the gallery]

With that, I commend the bill to the House.

The Hon. Wes Fang: Point of order: Interruptions are disorderly. People in the gallery should be reminded to conduct themselves in a manner that befits the House and that addressing members from the gallery is unhelpful.

The DEPUTY PRESIDENT (Ms Abigail Boyd): I do not think that we need to overly police the people in the gallery, other than to remind them that we do not ordinarily clap, as much as we may want to.

Ms SUE HIGGINSON (15:07): I speak in debate in full support of the Petroleum (Onshore) Amendment (Liverpool Plains Prohibition) Bill 2023 introduced by the Hon. Jeremy Buckingham. I also support the words of my colleague Ms Cate Faehrmann. Let us finally, once and for all, get rid of this absolutely absurd proposal for coal seam gas across the Liverpool Plains. I know many people from the Liverpool Plains and I have seen the battles, the resistance and the incredible work they have done to protect the Liverpool Plains from an absolutely invasive, unnecessary and harmful industry. It saddens me, but it also infuriates me, that we have to listen to the words of Government members in this Chamber. They are the same members who, when in opposition, stood with the Liverpool Plains people with their hands on their hearts and said, "This is not good. We need to do better. We need to do more."

This industry cannot co-exist with not just good, sustainable agriculture, but strong, resilient climate future-proofed agriculture, which is the agriculture we need to get through some of the challenges ahead of us, such as food security. We also need the resilience of the people who are growing the food for all of us. I watched your fights. I fought in some of them when I was a lawyer at the Environmental Defenders Office, when it was BHP, when it was Shenhua—

The Hon. Wes Fang: Ask her to direct her comments through the Chair—

The Hon. Penny Sharpe: Point of order: The Hon. Wes Fang continues to speak his thoughts loudly, interrupting the speaker. I ask that he be called to order.

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

The DEPUTY PRESIDENT (Ms Abigail Boyd): I am close to calling the member to order, so he will be pertinent.

The Hon. Wes Fang: The member should address her comments through the Chair. She clearly was not. That is the practice of the House. Madam Deputy President, I ask that you uphold the practice of the House and direct the member to direct her comments through the Chair.

The DEPUTY PRESIDENT (Ms Abigail Boyd): That was a separate point of order. I uphold both points of order. The member will address her comments through the Chair.

Ms SUE HIGGINSON: Of course, Madam Deputy President. It would be a pleasure to direct my comments through you. Many of us have stood with the Liverpool Plains communities in their fights. First it was against BHP, then Shenhua, then Eastern Star Gas and now Santos. We saw the damage that Eastern Star Gas did. The reason we are here now is that this Government is enabling Santos's continued exploration onto the Liverpool Plains proper, where the farmland is food-producing country. The Government has 100 per cent power to stop it but is choosing not to. It is an absolute betrayal of the people of the Liverpool Plains. The Government has the power, but it is not exercising it in the proper way. It has all of the facts and knows all of the circumstances, but it hides behind the so-called complexity of the Independent Planning Commission [IPC] decision to allow the Santos Narrabri Gas Project to go ahead.

The Government has full power to stop the exploration process going ahead, but it is choosing not to. It is a betrayal of the people of the Liverpool Plains. Government members cannot stand in this place and speak about this through both sides of their mouths in contrary ways. It is not honest. It is not the right thing to do to those communities and the people in the gallery. It is not going to play out well for the Government in the long run. The only reason that Santos is now spilling out of the beautiful, precious Pilliga Forest and into the Liverpool Plains is that its project is a lame dog that needs to be sat down once and for all. The only reason that Santos is exploring

is to prop up its project. It is an uneconomical project and should not go ahead. Santos knows it should not go ahead. Labor is propping up the Santos gas project. It is allowing the lives of people along the gas pipeline route to be subjected to upheaval. Santos agents are knocking on doors saying, "You are going to have a pipeline. It is coming your way. Move out of the way and let us in."

It is unconscionable that it is happening on the watch of a government that introduced laws to get to net zero by 2050 and reduce emissions by 50 per cent by 2030. We stood shoulder to shoulder to introduce those laws. We have done everything to enable a net zero future, but the Government is walking all over the very communities that will help the State get to that net zero future. There is an enormous role for the agriculture sector to play in decarbonising our economy and drawing down, but it is not going to be able to while the Government is rolling gas all over it. It is so political. The Liberal-Nationals Coalition bought back the gas licences in my territory in the Northern Rivers for its political survival. I thought Labor would do the same and that it understood what it takes to manage the environment better, to manage the agricultural sector better and to provide the assistance that communities need to be part of a resilient climate future.

As my colleague Ms Cate Faehrmann put so clearly on record, the Gomeroi people are in court fighting the unconscionable arguments being put forward by Santos. The arguments that Santos is putting forward are unbelievable. For a government to sit back and watch what is happening while First Nations people have to carry that unbelievable burden on behalf of everyone is reckless. It is beyond negligent; it is reckless behaviour. Government members have their hands on the levers. They hold the steering wheel, and they are driving us in the wrong direction. People have come to the Parliament today in the genuine and sincere hope that they would see something much better than what they are seeing today. They are seeing apologist arguments for the former Government's *Future of Gas Statement*. Santos, a multinational corporation, is attempting to smash First Nations communities in New South Wales and in the Northern Territory, and the Government is handing it the licences to carry on, legitimising its absolute criminal behaviour. We need to mark that as the honest truth of this day.

The Hon. Jeremy Buckingham has worked the Parliament in the best way he can in his capacity as a crossbencher and as somebody who has worked with the Liverpool Plains communities for over a decade. My colleague Ms Cate Faehrmann is also out on the Liverpool Plains and the Pilliga Forest, sitting with communities. Today the Government had the opportunity to stand up for those people and for the whole of New South Wales. The right decision is to draw a line in the sand and say, "No, Santos, it is not happening. You know it is not happening. It cannot happen." All we have to do is go back to the plethora of evidence that was presented to the IPC over days and days of public hearings. The case was made then and there. It was clear. It was right then, it is right today and it will be right tomorrow.

The biggest problem in this State right now is that all of New South Wales allowed Labor to put its hands on the levers, and it is not pulling them in the right direction. I genuinely think that is the wrong thing by the Government, and it is responsible for that political failure. Most importantly, it has an impact on those communities, the environment, First Nations justice, culture and heritage, our future generations, our precious water resources and capacity to feed each other. Today was the day that the Government had a chance to do something, and it chose not to.

The Hon. JEREMY BUCKINGHAM (15:19): In reply: Where to start? I am deeply disappointed that the newish Labor Government has continued down the devastatingly stupid path of contemplating coal seam gas, unconventional gas and a toxic industry in the heart of our food bowl. It is deeply disappointing to me. I listened closely to the Minister's contribution, and I feel I was treated with contempt. I just cannot imagine how the farmers of the Liverpool Plains, the people of the Gomeroi nation and the people across this State and country who have campaigned to protect the food bowl, the Pilliga and the Great Artesian Basin feel. I look down the camera and say to Santos, which is watching this, that there is no way over our dead bodies that it will turn our food bowl into a toxic wasteland like it has done in Roma and like gas companies have done all over the world.

The Labor Party had an opportunity today to reset the debate and to save our food bowl in an age of climate change. The Liverpool Plains cannot be recreated. It is the result of literally billions of years of geology and climate and social capital coming together, a confluence that is an absolute miracle that feeds us every day. I say to the farmers of New South Wales who join us in the public gallery, and the Country Women's Association, that they should stop feeding them today, especially people like the Hon. Mark Latham, who will have no more beer, no more beef and no more bickies. He can survive on hot air. He has been doing it most of his life and he can continue. It is deeply disappointing to have a new Minister talk about balance and parrot the lines of the former Government.

The Liverpool Plains area is the most beautiful and productive farming land in the world. In 2021 the value of agriculture in the Gunnedah local government area was \$250 million. That year, agriculture made up 43 per cent of businesses. In the Liverpool Plains local government area, it was \$343 million, making up 54 per cent of businesses. In Narrabri, it was \$453 million, making up 44 per cent of businesses. In Warrumbungle shire, it was

\$188 million, making up 55 per cent of business. Weighed against that, Santos offers 200 potential jobs. It thinks it is going to leave the door open for an industry that will come and go in a generation and leave behind a toxic legacy that will be measured on a geological timescale, destroying the Great Artesian Basin, destroying the soil and forcing those farmers out.

Coal seam gas poses critical and unacceptable long-term risk to agriculture and these highly productive lands. The farmers know it. Anyone who has seen this industry knows it. Coexistence between unconventional gas and agriculture has not and will never work. Gas wells, processing and transportation infrastructure and water treatment facilities risk groundwater depletion, land subsidence and contamination. It has all happened in Queensland and the United States. I have seen it firsthand. I saw it in Camden. I saw it in Texas. I saw it in Colorado, Pennsylvania and Indonesia. I saw it in Roma. I saw it all over Queensland and we have already seen it in the Pilliga. There is absolutely no way that we should be considering it in 2024 in the Liverpool Plains.

In 2022 Origin Energy was fined after it released 800,000 litres of contaminated coal seam gas water into a local waterway near Wandoan. Santos has done the same. Origin Energy also reported to the Queensland Government that many coal seam gas wells have integrity issues due to corrosion of well casings, something that was seen decades ago. We know, and I have heard from farmers this week, that it is the situation at some of the pilot wells right now in New South Wales. Farmers who have had those pilot wells put on their land have been forced into non-disclosure agreements not to tell the community about how these concrete well casings, hundreds of metres deep underground, collapse over time and create connectivity between different aquifers that poison them. It is a madness and utterly unacceptable risk to the Great Artesian Basin.

The *Future of Gas Statement* declares this world-class farming region to be a gas field. Shamefully, former Deputy Premier Barilaro backed the Narrabri Gas Project and investments in LNG import terminals, pipelines and gas-fired power generation. He said:

Future extensions to the Narrabri Gas Project would bring further economic benefits for NSW, and the NSW Government welcomes future extension proposals ...

We have a new government, and it is doing the same thing. It is absolutely deplorable and shameful. It is treating the communities, who understand this issue better than anyone else, with absolute contempt. Government policy via the *Future of Gas Statement* has coal seam gas locked in for over half the Liverpool Plains. Expansion beyond Narrabri underpins the viability of this stupid project. The Minister's contribution had absolutely nothing to do with the substance of the bill.

I had been talking to the Minister and saying, "I am open to negotiation. Take out the strategic agricultural land from those petroleum exploration licences." She could do that with a stroke of her pen, with no compensation payable right now. She could give the community a sense that not only will the *Future of Gas Statement* be reviewed but also there is a sentiment, a sense and a sensibility from the Government that it understands that petroleum exploration licences 1 and 12 should be wound right back or cancelled in due course. But there is nothing, just the status quo. Santos could not be more pleased.

It is again deeply disappointing to hear from the National Party that if the Narrabri Gas Project does not go ahead or, God forbid, there are not coal seam gas wells all over the Liverpool Plains, jobs and economic development will be at risk. We are talking about billions every year from that soil and water and from those farmers. Shamefully, that is completely disregarded by the National Party. The term "the future of gas" is an oxymoron. Gas has no future. The International Energy Agency knows it. Our net zero trajectory knows it. It is an oxymoron bought to us by a moron in John Barilaro. Mr Barilaro's plan is a complete dead end.

The Hon. Wes Fang: Point of order: The Hon. Jeremy Buckingham should refrain from disparaging former members of the other place.

The DEPUTY PRESIDENT (Ms Abigail Boyd): He is not a current member of Parliament.

The Hon. Wes Fang: That is true, but he is a former Minister. The Hon. Jeremy Buckingham could do this by way of substantive motion. He should confine his comments to the bill.

The DEPUTY PRESIDENT (Ms Abigail Boyd): There is no point of order.

The Hon. JEREMY BUCKINGHAM: Where was I? That is right. I was speaking about morons in the National Party.

The Hon. Wes Fang: Point of order: If the member wishes to, he can raise this matter by way of substantive motion, not in a speech in reply to a second reading debate.

The DEPUTY PRESIDENT (Ms Abigail Boyd): I think the point of order the member is looking for is the one concerning offensive language?

The Hon. Wes Fang: No, I am not offended. I think it is a reflection on another member.

The DEPUTY PRESIDENT (Ms Abigail Boyd): There is no point of order.

The Hon. JEREMY BUCKINGHAM: The stance of farmers, landholders and communities of the Liverpool Plains is supported by the views of leading hydrogeologists. There is irrefutable hydrogeological evidence that coal seam gas production would have devastating impacts on groundwater across the Liverpool Plains. Agriculture relies heavily on having clean water. That is absolutely fundamental, especially on the Liverpool Plains. The removal of groundwater from coal seams as part of the process of obtaining gas would impact the whole groundwater of the Liverpool Plains. Most farms across the Liverpool Plains use shallow groundwater, and that would be the first to drain down when water from deep aquifers is extracted for coal seam gas mining.

We need to learn from the mistakes of Queensland. As early as 2021, 187 water bores relied on by farmers in the Surat area had run dry due to coal seam gas mining—their groundwater levels dropped up to 400 metres. Methane leakage is also a risk. The CSIRO found that, "Methane gas in water bores is an issue of increasing concern in areas of coal seam gas development." Methane leakages can cause water quality toxicity, and the risks are likely to increase over time due to the potential for well corrosion and the degradation of the concrete used to case and cap wells.

Australia's gas industry is directly responsible for at least 7 per cent of climate pollution nationally. Two-thirds of that pollution comes from methane. Proponents of the gas industry frequently hold up the energy source as being "cleaner than coal" and an "important part of the clean energy transition". It is not clean. The leakage of fugitive methane emissions from wells and pipelines along the production and distribution process and the direct venting and flaring of gas at a gas mine or processing facility of as little as 4.2 per cent is enough to make gas just as bad as coal in its climate warming impact.

Optical gas imaging by the Clean Air Task Force and the Australian Conservation Foundation in June 2023 captured footage of extensive leaking at facilities run by Santos, Origin and the gas pipeline company Jemena. Methane was leaking or deliberately vented from more than 100 individual sources, and methane was being released from four of the seven Santos coal seam gas wells surveyed in the Pilliga/Bibblawindi forest in New South Wales. The gas industry faces a limited future due to the transition to clean energy, whereas agriculture is set to play a vital role in Australia's economy forever. It is vital that a focus on short-term gas development does not harm our longer term economic prosperity. We do not need more gas mining. There is no shortage of gas in Australia, just a shortage of desire to supply it at a reasonable price to domestic customers.

I was the first politician in this country to call for a domestic gas reservation policy. That is now enacted at the Federal level. We can pull that lever whenever we want. The idea of a gas shortage is utter bullshit sold to us by a gas cartel. We need only look at Squadron Energy. Twiggy Forrest has things ready to go at Port Kembla. The Government has the Electricity Supply and Reliability Check Up from Cameron O'Reilly, which said that the issue for the State is gas storage. There is more gas in this country than we could possibly need. We are exporting it overseas. All we need to do as we transition away from gas is to put in more storage. The last thing we need to do is to upturn the food bowl for more gas.

On the east coast of Australia, 72 per cent of gas is exported, mostly to Japan, China, the Republic of Korea and Taiwan. The conversion of gas to liquefied natural gas uses more of our gas than all Australian manufacturing and households. That is the conversion—just turning the gas to liquefied natural gas uses more than all of us combined. The network cost is 40 per cent of a typical gas bill. The Australian Energy Regulator is supposed to set prices in a way that allows networks to recover their costs and make a reasonable profit. That has not happened.

The gas industry in Australia is a corrupt cartel. Regulated gas networks made \$1.8 billion in supernormal profits—nearly double their regulator-approved allowance—from 2014 to 2022, resulting in higher energy bills. Scandalously, no royalties are paid on 56 per cent of the gas that is exported from Australia. Over the past four years, multinational companies made \$149 billion exporting royalty-free gas. HECS debts generated more revenue for our nation than the toxic enterprises of fossil fuel multinationals.

This bill has the potential to save the Liverpool Plains from the vast and permanent negative impacts of coal seam gas production proliferating across Queensland and emerging in New South Wales. Previously promised protections for the Liverpool Plains have not been delivered. Strategic agricultural land remains unprotected. The recommendations of the chief scientist have not been implemented. The incredible providence of the Liverpool Plains is too good to be a gas field. This is the time for the Government to reconsider whether it is truly committed to a net zero future.

I make that comment as chair of the Joint Standing Committee on Net Zero Future. Fugitive gas and methane emissions must be a central focus of the new Net Zero Commission, both from existing coalmines and

the proposed Narrabri gas field. There is absolutely no way to meet the commitment to get to net zero by 2050 if we open gargantuan new coalmines in the Hunter Valley or consider unconventional gas in New South Wales. The Labor Government has a choice to make: food and the future, or fossil fuels.

I thank the Liverpool Plains Action Group, which has joined me here today. It is made up of local landholders and residents, and is supported by communities across New South Wales and Australia. They have been fighting for their country for more than 15 years. From Willow Tree to Boggabri, they have been fighting gigantic companies with billions of dollars from around kitchen tables on a shoestring. They have literally put their lives on the line to protest these developments. They have driven here from their communities and their farms to stand up against Santos. I say to Santos: They will win.

Before I conclude, it is important that I thank the Gomeroi nation. In their steadfast defence of their country, culture and community, they have fought Santos tooth and nail. They are still doing so in the Federal Court today. I hope that decision comes down on their side. I also thank the NSW Farmers, Unions NSW and the Country Women's Association, who have all voiced public support for the bill and have stood up against Santos. I thank the Knitting Nannas, who are absolute stalwarts of the campaign against fossil fuels. I acknowledge the erudite, considered and committed campaign and contributions from Ms Cate Faehrmann and Ms Sue Higginson on behalf of The Greens. They have stood with the community over more than a decade to stop this ridiculous industry. I thank them for their support for the bill.

I thank Louise Callaway from my office, who has been central to drafting the bill. She has been absolutely fantastic over many years on this campaign. I also thank Margaret Fleck, Kate Gunn and Peter Wills, who are champions for their community and for agriculture in New South Wales. Together, we must protect important food-producing resources for future generations. Regardless of the outcome today, the fight to save our climate and precious land and water will continue until it is won. The first speech I gave in this Parliament 13 years ago decried coal seam gas and warned of its threat to our climate, our water and our soil. I cannot believe that, in an age of devastating climate impacts, I still need to make that argument. The Government and Santos should know that this is not the end. We will continue to fight until the Government cancels those petroleum exploration licences and tells Santos to take its toxic gas fields and go packing because the Liverpool Plains, the Pilliga and the Gomeroi nation will be protected for all time from that toxic, rapacious industry. I commend the bill to the House.

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

The House divided.

Ayes6
Noes29
Majority.....23

AYES

Boyd
Buckingham (teller)

Cohn
Faehrmann (teller)

Higginson
Hurst

NOES

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

Latham
Lawrence
MacDonald
Maclaren-Jones
Merton
Mitchell
Mookhey
Moriarty
Munro
Murphy

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

Motion negatived.

BETTER REGULATION LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2024**Returned**

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

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (INDEPENDENT OFFICE OF ANIMAL WELFARE) BILL 2023**Second Reading Debate****Debate resumed from an earlier hour.**

The Hon. SARAH MITCHELL (15:47): I lead for the Opposition in debate on the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023 and indicate at the outset that the Opposition, like the Government, will not be supporting the bill. I acknowledge the mover of the bill, Ms Abigail Boyd, as I did the Hon. Emma Hurst on a motion she moved on a similar topic last week. While I understand that we might have differing views, I respect the member's strong interest in the issue and the work she has put into it. Ensuring we have the best possible animal welfare protections in our State and enhancing them in any way we can is a concern we share across the Chamber. We just have different views on the best way to do that.

Animal welfare is a topic that generates strong community views and public interest in New South Wales, and the Opposition acknowledges that it is an important issue. As I said in debate on a similar motion last week, there have been a number of parliamentary inquiries around animal welfare and animal protection in the past few years to ensure that the protections we have in place do what they are supposed to do. At its core, this bill proposes the establishment of an independent office of animal welfare that would be responsible for overseeing and ensuring the welfare of animals in New South Wales. It also designates specific charitable organisations such as the RSPCA and the Animal Welfare League as approved entities under the amended Act. As I said, while we share concerns around ensuring the best animal welfare protections are in place in this State, the Opposition has a different view from the mover of the bill in relation to the current laws and what we believe is the best path forward.

First and foremost, we think the establishment of the independent office of animal welfare would add an additional layer of bureaucracy that could lead to inefficiencies and tensions in the enforcement of animal welfare laws. We already have existing organisations, like the RSPCA and the Animal Welfare League, which have been effectively carrying out these responsibilities. Introducing another agency with overlapping functions could result in confusion, duplication of effort and wasted resources. It risks creating a scenario where different bodies might have differing interpretations and enforcement of the same laws, leading to inconsistent outcomes.

The bill also suggests animal cruelty laws in New South Wales are out of date. We do not agree with that given that there have been several legislative changes in this space. Just last week, this House passed a bill updating the Prevention of Cruelty to Animals Act to address concerns raised by stakeholders and the broader community. These changes included increasing transparency around animal welfare enforcement operations and strengthening animal welfare protections by expanding the current fit and proper person regime. I acknowledge the work of my colleague Dugald Saunders, the former Minister for Agriculture, which kicked-off this recent reform. Under the current legislation, approved charitable organisations act as enforcement bodies for animal welfare in New South Wales. This responsibility falls to local councils, to the police, to racing bodies or to the RSPCA and the Animal Welfare League.

The sector would undoubtedly benefit from better coordination across the various agencies, and some of the amendments that were passed last night will go towards this. However, I do not see how the establishment of another level of bureaucracy will achieve better outcomes. We are concerned that it will instead just add red tape and undermine the important work that these agencies are already doing. We are always happy to work with all parties on important issue like this, but we do not see the merit in this particular bill.

Another issue of concern is the mandatory nature of certain guidelines that the bill proposes to enforce. While I wholeheartedly support the need for strict animal welfare standards, making certain guidelines mandatory through regulation without adequate consultation and industry input could lead to unintended consequences. Industries that rely on the use of animals—such as agriculture, research and entertainment—could face burdensome regulations that may not be practically feasible or that could threaten their economic viability. It is essential that any regulatory framework balances the welfare of animals with the legitimate needs of these sectors, ensuring that animal welfare improvements are sustainable and do not unfairly impact those who depend on these industries for their livelihoods.

Furthermore, the bill's provisions regarding the advisory committee raise concerns about representation and influence. While the committee is intended to provide advice to the Chief Animal Welfare Officer, the selection process and the composition of the committee could lead to an imbalance of perspectives where certain voices are given more weight than others. It is crucial that any advisory body is truly representative of all stakeholders, including those from various animal-related industries or scientific communities, and those with different ethical perspectives. The current structure proposed in the bill may not adequately achieve this balance.

In conclusion, while the Opposition fully supports the goal of improving animal welfare in New South Wales, it believes that this bill is not the right approach. The potential for increased bureaucracy, lack of accountability, overly prescriptive regulations and imbalanced representation are significant concerns that cannot be overlooked. We need an inclusive approach to animal welfare that addresses these concerns while achieving our shared objective of protecting animals, and we believe that the status quo achieves that outcome.

The Hon. MARK BANASIAK (15:52): The Shooters, Fishers and Farmers Party does not support the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023.

The Hon. Emma Hurst: What?

The Hon. MARK BANASIAK: It is shocking, I know. I will outline some general concerns before turning to specific provisions. The animal rights movement is fixated on introducing an Independent Office of Animal Welfare. It has targeted Federal, State and Territory governments on this matter for quite a while, and Ms Abigail Boyd's iteration of this bill is just another example. During the second reading speech, Ms Abigail Boyd claimed that all of the following are animal welfare organisations: Humane Research Australia, People for the Ethical Treatment of Animals [PETA] Australia, Animal Liberation, Sentient, the Veterinary Institute for Animal Ethics, Lawyers for Animals, Animals Australia, Voiceless, World Animal Protection, Australian Alliance for Animals, Compassion in World Farming, Four Paws Australia and Humane Society International Australia.

This is incorrect. Most are primarily animal rights organisations. One need only look at their websites to see the indication of that. Animal rights is not the same as animal welfare. Rather, it is an ideological philosophy which believes that no animals should be used by humans for any reason. Animal rights groups support the pursuit of incremental welfare reform merely as a means to eventually abolish all human interaction with animals, including pets. The fact that the bill is built on that foundation is reason enough to reject it.

I will now explore some of the provisions of concern. Schedule 1 [1] designates that the RSPCA NSW and the Animal Welfare League [AWL] NSW be enshrined as approved charitable organisations [ACO]. Items [2], [6] and [7] of schedule 1 make consequential amendments regarding this. We disagree with Ms Abigail Boyd's comments in her second reading speech that the Minister should not have the right to dissolve the powers of either the RSPCA or the AWL with the stroke of a pen.

We believe that clear evidence has been presented in the two annual inquiries run on the ACOs thus far that that ability is needed. I cannot and will not divulge some of those details that are currently before the present committee. However, other States and Territories have reduced or removed the prosecutorial powers of the RSPCA following multiple parliamentary inquiries, including Victoria, Queensland and Western Australia. Investigations in Queensland resulted in substantial findings of corruption, abuse of powers and policies that resulted in no transparency or accountability. Along with other committee members, I share similar concerns about RSPCA NSW. The ability of a Minister to remove an ACO that is found to have irreconcilable disfunction is needed.

We also do not support new section 24Z, which proposes that the Independent Office of Animal Welfare not be subject to the control or direction of the Minister in the exercise of its functions. New section 24Z is undemocratic. Animal welfare is the responsibility of the Government under the leadership and control of a Minister in Parliament. It makes sense that this role currently sits with the Minister for Agriculture, as the staff within the Department of Primary Industries and Regional Development have expertise in this area, including veterinary, scientific and animal welfare expertise. Further, under schedule 1 [2] (b) Ms Abigail Boyd wishes to alter the definition of "charitable organisation" by omitting the current definition and instead inserting "a charitable, benevolent or philanthropic purpose". This provides for any of the 12 animal rights organisations listed by Ms Abigail Boyd to also be approved as enforcement agencies.

The Shooters hold serious concerns that an organisation that is classified as philanthropic opens the door for corrupt and manipulative opportunities and, most hypocritically, removes the point of being independent. If animal rights philanthropists are funding an organisation then it is clearly unethical to provide a seat on any government advisory committee based on that organisation's donations, which is what this amendment proposes to allow. Schedule 1 [4] proposes the formation of an Independent Office of Animal Welfare to operate totally

outside of Parliament. This would essentially undo the Government's most recent legislative reform that made the enforcement agencies more accountable to Parliament. In short, this bill proposes an Independent Office of Animal Welfare that will be composed, managed and operated by extreme animal rights organisations with minimal oversight by the government of the day.

In her second reading speech, Ms Abigail Boyd was kind enough to list the organisations that she presumably would like to be included, or at least represented, on the advisory committee under new section 24ZN. The majority are known to be animal rights organisations. Some are extreme. Many have no animal welfare credentials whatsoever. Many openly oppose the keeping of animals full stop. Such organisations should be specifically excluded from any role to do with animal welfare and should certainly be excluded from any iteration of an office of animal welfare, regardless of its structure. Proposed new section 24ZA outlines the objects of the Independent Office of Animal Welfare, which include:

- (a) to promote knowledge of animal welfare issues,

To whom is this knowledge being promoted and how? Are issues reported to the Chief Animal Welfare Officer? Are issues reported to the department and, if so, to which department? Are issues reported to a Minister? Ministers are notably absent from this entire bill. Or are issues reported to the public through education awareness? The objects continue:

- (b) to improve animal welfare outcomes,

How will improvements to animal welfare outcomes be independently reviewed as successful, especially with such an eclectic committee structure as the one proposed? The next object states:

- (c) to ensure the State's animal welfare policies and guidelines are independently reviewed and developed having regard to the following—
 - (i) contemporary scientific knowledge about animal welfare,
 - (ii) advances in technology,
 - (iii) community expectations and values, Who conducts the independent review? The same organisations represented by the majority of the so-called independent committee? It is unclear. Community expectations and values needs to be defined to clearly delineate between genuine community animal welfare expectations and the very vocal, niche views of animal rights extremists. Additionally, would that mean that to confidently and accurately gauge community expectations and values, the committee would put those outcomes out for public consultation? If so, how is that different to what occurs now?

Object (d) is "to ensure the independent review of the administration and enforcement of the State's animal welfare laws." It is unclear if that is enshrining the same process into the Act or if it is a new process. New South Wales has only recently commenced reviewing the administration of the ACOs through parliamentary inquiries, with no ability to review or appeal the enforcement process. If the new committee is to be responsible for such a review, then that raises conflict of interest concerns, as the bill would enshrine both charitable organisations into the very committee responsible for reviewing them and holding them accountable.

New section 24ZH sets out the functions of the Chief Animal Welfare Officer. Elevating the role of Chief Animal Welfare Officer to more than just a professional acquaintance of the ACOs may be a valid concept, but the Shooters believe the role must be subject to Parliament, via the Minister, and accountable to a budget estimates or committee process. Hence, we do not support new section 24ZH (2). We believe that the Chief Animal Welfare Officer should have complete oversight and control of all compliance and enforcement organisations, officers and inspectors, rather than leaving it to cronies and nepotistic boards to oversee ACOs. We already have that now with the RSPCA board, and the bill merely substitutes one pack of cronies for another. New section 24ZR deals with a vacancy in office and provides:

If the office of a committee member becomes vacant, the Attorney General must appoint a person to fill the vacancy.

However, it does not detail how. There is no procedure in the bill for how a person can be appointed. Loose processes lead to fast and loose decisions. New section 24ZS addresses the effect of certain other Acts. Subsection (1) states:

The provisions of the *Government Sector Employment Act 2013* relating to the employment of Public Service employees do not apply to committee members.

Why not? Is the committee not performing a function for the Government and for the public? Why does it not have to abide by the objects of the Government Sector Employment Act? The objects of the Act include the development of a modern, high-performing government sector, effective and fair employment arrangements, effective delivery of services, and an ethical framework for the government sector. The proposed structure does not require the committee to report to any Minister. Who is responsible for ensuring that the committee is efficient and effective, provides transparent governance, and upholds and respects the core values and principles of the

government sector's ethical framework, therefore meeting community expectations and values? The answer is no-one.

New section 24ZT deals with committee meetings. Subsection (2) states, "The quorum for a meeting of the committee is a majority of members." A majority of which members? Is it a majority of the 12 committee members plus the Chief Animal Welfare Officer—therefore, 13—or a majority of those members present on the day? It is unclear. That is clearly insufficient for a committee that already does not appear to be accountable to any government department or Minister. There is nothing to prevent a meeting of just seven members, with a quorum of four. That situation is wide open to corrupt behaviour. That is particularly important in light of new section 24ZT (6), which states:

A decision supported by a majority of the votes cast at a meeting of the committee at which a quorum is present is a decision of the committee.

That equates to a majority of just four people making decisions on behalf of a committee of 13 members. That provision should declare a requisite number of committee members, not just a simple majority, for a quorum. New section 24ZU deals with disclosure of conflicts of interest. It states:

- (1) A committee member must disclose the nature of a conflict of interest at a meeting of the committee as soon as practicable after the member becomes aware of the conflict of interest.
- (2) A committee member has a conflict of interest if—
 - (a) the member has a direct or indirect pecuniary interest, or another interest, in a matter being considered, or about to be considered, at a meeting of the committee, and
 - (b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter.

That is all pretty standard, but the Shooters say that the charitable organisations have a standing conflict of interest as members of the committee. That becomes particularly important in light of subsection (4), which provides:

A committee member who has made a disclosure under subsection (1) must not, unless the Chief Animal Welfare Officer otherwise determines—

- (a) be present during a deliberation of the committee about the matter the disclosure relates to, or
- (b) take part in a decision of the committee about the matter.

That provision reduces the overall number of committee members required to be present during discussions relating to enforcement to 11. Remembering that a quorum is just six members and that a majority of that quorum is four members, just four people could determine matters relating to the enforcement of animal welfare legislation. New subsection (5) provides, "A contravention of this section does not invalidate a decision of the committee." That means that ignoring the conflict of interest does not invalidate the decision. For example, the two charitable organisations' representatives can remain in contravention of the conflict provision, influence the discussion and convince the majority, and the decision of the committee will still be binding. How is that independent—or, for that matter, ethical?

Last night Ms Abigail Boyd outlined for the House the absurd conflicts of interest and self-assessment of those conflicts brought to light by the inquiry into the use of consultants. Rightfully, it had most of us shaking our heads in disbelief. But the bill seeks to legislate for that same process to occur through the aforementioned clause. The Hon. Sarah Mitchell outlined concerns about the guidelines in new section 34A relating to animal welfare, and the entire section is quite concerning. It implies that the committee determines the regulations. Currently, that responsibility is undertaken by the department and reported to a Minister for approval. While the Minister may approve regulations without any parliamentary involvement, that Minister is still subject to public scrutiny and ridicule if they do not meet community expectations.

Currently, the Department of Primary Industries consults stakeholders via public consultation. There is no inclusion of such a requirement in the bill. Regulations that directly affect the day-to-day ability of people to keep animals must be determined by more than just a committee of 13 people. New section 34A also provides that the committee's comments are to be published on the department's website—fair enough, but to what end? How is the committee held to account for those decisions? That entire section implies a lack of understanding of how regulations work. It provides that the regulations may "adopt guidelines", but then new subsection (5) makes all clauses of the regulations mandatory provisions. That is incorrect; it does not reflect current practice. Codes of practice are instilled within regulations. Those codes contain standards, which are mandatory, and guidelines, which have traditionally been non-mandatory. Guidelines are designed to assist in the improvement of animal welfare, while standards are the minimum requirements to uphold and maintain animal welfare outcomes.

State governments continue to support the development of the national Australian Animal Welfare Standards and Guidelines documents produced by Animal Health Australia and various State agriculture

departments. Those documents are subsequently endorsed by State governments, often in modified form. Only the standards, not the guidelines, are intended to be enforceable. The guidelines in the documents are advice and/or recommendations. To understand why leaving such things to a committee of 13 is a bad idea, members should look at some of the crazy proposed changes coming out of the Australian Capital Territory's Animal Welfare Advisory Committee. They are a case study into the detrimental effects on the mind of living in a bureaucratic bubble for too long.

New section 34A (5) completely changes the intent of many of the current codes of practice. Currently, many of the codes are just recommendations. They aim to educate and encourage high welfare practices. Such codes are designed as advice and include numerous clauses that are completely unsuitable as enforceable codes. The only enforceable codes are those applying to animal trades, and they include enforceable standards and unenforceable guidelines. As an example, the current *Animal Welfare Code of Practice: Animals in Pet Shops* is currently being misused by the RSPCA. It was designed as recommended advice for pet shops but is now being used as an enforcement tool.

A further example of the RSPCA misusing guidelines is that it now claims that anyone who breeds a dog runs an "animal breeding establishment" and hence operates as an animal trade. It then comes under the enforceable standards. In RSPCA NSW's view, that means that someone with a single fertile bitch is able to be inspected without warrant or reason and is subject to all the standards within the *Animal Welfare Code of Practice: Breeding Dogs and Cats*. The proposed amendment in the bill takes that issue further and aims to make the guidelines within the codes enforceable. That amendment alone can mandate a series of provisions that are neither necessary for continued animal welfare outcomes nor practical for all animal keepers. Mandating some of those guidelines will instantly place thousands of animal keepers in breach of the Prevention of Cruelty to Animals Regulation.

For the reasons I have mentioned, and some others, the Shooters, Fishers and Farmers Party opposes the bill and encourages other members to do the same. The proposed amendment takes the issue further. It aims to make the guidelines within the codes enforceable. The amendment alone has the ability to mandate a series of provisions that are neither necessary for continued animal welfare outcomes nor practical for all animal keepers. Mandating some of the guidelines will instantly place thousands of animal keepers in breach of the Prevention of Cruelty to Animals Regulation. For the reasons mentioned and more, the Shooters, Fishers and Farmers Party opposes the bill and encourages other members to do so.

The Hon. EMMA HURST (16:09): On behalf of the Animal Justice Party, I support the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023. The Animal Justice Party has been advocating for an independent office of animal protection since our party was established. Last week I moved a motion in this House that saw the Minns Labor Government recommit to its election promise to establish Australia's first independent office of animal protection in New South Wales. That was a positive step forward. I understand Ms Abigail Boyd has introduced the bill because there is immense frustration in the community and in the animal protection sector that the establishment of that office has been delayed for too long.

The Coalition refused to even consider an independent office during its 12 years in government. The Labor Government has agreed to create an independent office but it has not taken appropriate steps to implement it in the 15 months it has been in power. It cannot be delayed any longer. We need to set up an independent office in New South Wales now, because every day our broken animal protection system remains in place, the lives and wellbeing of animals suffer. The current system is broken. Animal cruelty laws in New South Wales have not been overhauled for decades and they do not protect animals from harm.

Massive exemptions and defences in our laws allow for systemic, legalised animal cruelty in New South Wales every single day. The most obvious example is the millions of animals in the agribusiness industry, where animals are forcibly bred and held in intensive confinement until the day they are killed. Most of those animals will never see the sun until the day they are hauled out of their cages and sent to a slaughterhouse. At the same time, farmed animals are subjected to cruel procedures that would be illegal if done to a companion animal, such as cutting off large chunks of flesh around their backsides, branding with hot irons, tearing off their testicles, amputating their tails, cutting off their horns and slicing off the end of their beaks with a hot blade. All of that is done without any pain relief.

It does not stop there. Our laws allow for many other forms of routine animal cruelty such as pig dog hunting; fishing; aerially shooting; poisoning animals with exceptionally cruel poisons like 1080, which is known to cause immense suffering; conducting painful and unscientific experiments on animals; confining dolphins to swimming pools; keeping lions and monkeys in petting zoos for so-called entertainment; and forcing animals to race until they are injured and killed, simply to make billions of dollars out of vulnerable problem gamblers for the gambling industry. It is laughable that we even have a law called the Prevention of Cruelty to Animals Act, when we consider how much cruelty our State allows to sentient, living beings. The bill does little to prevent

cruelty; rather, it creates parameters to allow for extreme cruelty to certain species. To make matters worse, we continue to rely on a system where private charities enforce our failing animal protection laws. Those organisations operate without appropriate and secure funding or proper oversight, transparency and accountability.

It is no accident that our animal cruelty system is in such a dreadful state. It has been set up to fail. The root cause of the failing system is the inherent conflict of interest within the Agriculture portfolio and, more specifically, the Department of Primary Industries. While I am talking about that, I acknowledge the work of Dr Jed Goodfellow and the Australian Alliance for Animals. Dr Goodfellow's research shows how the departments of agriculture and primary industries around Australia have fallen victim to regulatory capture—that is, they act in the interests of the animal use industries they are meant to oversee and regulate instead of acting in the interests of the public, which wants to see animals protected. The result is an absolutely hopeless conflict of interest and, invariably, industry profit is prioritised over the lives of animals.

It is no wonder that under that framework we have gone for decades without any major progress on animal protection, despite the clear need and public support for such reform. The department that holds responsibility for animal protection is so conflicted that it fails to promote even the most basic animal welfare reforms. I gave the example in this House last week of what happened when the New South Wales Department of Primary Industries was put in charge of the development of the national poultry standards. It actively worked to protect the industry and stop any recommendation of a phase-out of battery cages, to the point where other States had to intervene and the department was referred to ICAC.

I am pleased that the Labor Government has made election commitments to review and overhaul the Prevention of Cruelty to Animals Act, and is committed to other animal welfare reforms such as banning puppy farming and phasing out the use of battery cages. But if those reforms are to be successfully implemented and enforced, we need to make sure we have the right structure in place. We need to make sure the Government is informed by genuinely independent, robust advice on the best way to achieve and implement reforms to ensure the best outcomes for animals.

It is vital that we ensure that the independent office is properly funded and given broad powers to oversee the administration and reform of animal cruelty laws. At a minimum, any independent office established in New South Wales must be given the power and resources to develop law reform proposals, policies, procedures, standards and guidelines for the protection of animals in New South Wales; undertake policy analysis and provide advice to the relevant Minister on the needs of all animals, including farmed animals, native animals, introduced animals, companion animals and animals used for entertainment and experimentation; and conduct inquiries and consultations, and inform government of systemic reforms required in the animal protection system. The Minister should be required to publicly respond to any advice issued by the independent office of animal protection and provide special justification in any circumstance where the Minister does not plan to adopt and implement the advice of that independent office.

It is also vital that an independent office be given robust powers to oversee compliance and enforcement of animal cruelty laws, including appropriate funding and resourcing for animal cruelty enforcement, and appropriate licensing and routine compliance monitoring programs for animal use industries, which rarely occur under the current system. There also needs to be clear and transparent reporting of matters enforcing animal cruelty to restore community confidence in this troubled regime. It goes without saying that the independent office must be genuinely independent and free from any influence from animal agribusiness or other animal use industries, given that this is the very conflict of interest that the independent office seeks to address.

The current regime still includes the Department of Primary Industries as one of the main departments that advises the Minister for Agriculture on policy and legislation in favour of animal agribusiness. That advice will often conflict with advice given by the independent office of animal protection about what is in the best interests of animal protection. The question is how can any Minister deal with two portfolios that are in constant conflict? Traditionally, animal protection has been ignored in favour of agribusiness, but that simply cannot continue. An independent office can work only when the Minister is not being pulled in the other direction and is able to consider advice and advocate in party meeting rooms for genuine animal welfare reforms. That is why the Animal Justice Party has long advocated for the creation of an entirely separate portfolio for animal protection, with a standalone Minister for animal protection alongside the independent office.

If we get this right, an independent office of animal protection has enormous potential to create a more robust regulatory framework, improve community confidence and deliver better outcomes for animals in our State. We have the opportunity to become the first State in Australia to take the progressive step towards modernising our animal protection system by establishing an independent office of animal protection.

Ms ABIGAIL BOYD (16:18): In reply: I thank all those who contributed to debate on the Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023. It has been illuminating.

I express particular thanks to the Hon. Emma Hurst for her very sensible and wise words, and special thanks to the Hon. Mark Banasiak for reading and engaging with the content of the bill. As I said in my second reading speech, the bill was developed over a period of months with a whole lot of stakeholders, who have been following these issues incredibly carefully not just in Australia federally and in various States and Territories, but also around the world, as well as proposing various drafts of bills. Again, I thank all of the stakeholders I mentioned in my second reading speech for their incredible assistance in pulling this draft together.

The House could pass this bill swiftly today and take one step forward in finally overhauling our State's decades-old animal welfare regime. It is a straightforward bill, despite what members may have heard from a couple of speakers during the second reading debate. It exactly balances the views of experts across the board and takes into account what the community has been campaigning on for years. Unfortunately, we have a Labor Government that is too afraid to do anything that will remotely impact those who seek to profit from animal suffering. That has become extra clear today. I would like to correct some of the statements made by the Minister about this bill, but in the interests of time and given that I suspect the Minister knows full well that the comments, particularly those around limiting government power and discretion, were not correct, I will instead refer members to the second reading speech or the bill itself, which sets out how reasonable and democratic the bill is—as would be expected, after the detailed and lengthy consultation process that we undertook in drafting it.

The bill is put forward on behalf of the very stakeholders that the Labor Government made its commitment to when it said it would implement an independent office of animal welfare. Labor made a lot of promises during the election campaign, but 18 months on, the Government has not yet made good on them. Across various portfolio areas, some small progress is being made on some of those promises—and rightfully so, in areas where it takes a while to unpick what the previous Government had been doing, or where a novel approach is required to implement a particular promise. But in other areas, we have gone beyond foot-dragging to the point that it is clear that the Labor Government simply has no intention of keeping the promise, and so it is with the Government's promise to implement an independent office of animal welfare. Minister Moriarty has made it crystal clear today that the Labor Government will not be keeping its promise to introduce an independent office of animal welfare, unless it is, one, not independent; two, not an office; and three, not about animal welfare.

Today the Minister put forward the Labor Party's position—confused as it is—that instead the Government is working hard in the background, despite no evidence of any stakeholders we know of having been properly consulted, on creating a body that keeps all power for animal welfare rules with the inherently conflicted Minister for Agriculture of the day, which does not have any operational costs, and which is required to consult as much with industry as it does with animal welfare stakeholders. In the same breath as saying there can be no ad hoc changes to animal welfare laws without overhauling the whole of the Prevention of Cruelty to Animals Act, the Minister congratulates her Government on having made an ad hoc change to animal welfare laws outside of an overhaul of POCTAA. She waxed lyrical about the need to consult with stakeholders. I note that The Greens did in fact, as I said, consult with numerous stakeholders over a significant period of time for our bill, just not the industry ones that the Minister for Agriculture wants to consult with. Let me set the record straight on that.

While speaking of how Labor's independent office of animal welfare—which is not independent, not an office that will cost anything to run, and not about animal welfare but actually about industry—will require wide consultation to set up, the Minister championed a Government bill that was passed last week, on which Labor comprehensively failed to consult with animal welfare stakeholders. In the process, she has laid bare the sad reality of the Minns Labor Government in New South Wales: a Labor Government that will lie to the public that elected it. It is a Government that will do anything to avoid doing the hard work of implementing its election promises. It is a Government that has comprehensively failed to keep its commitments to animal welfare. The public will not be so fooled at the next election. I commend this bill to the House.

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

The House divided.

Ayes6
Noes28
Majority.....22

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson
Hurst (teller)

NOES

Banasiak

Jackson

Munro

NOES

Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Farraway
Graham
Houssos

Kaine
Latham
Lawrence
MacDonald
Maclaren-Jones
Merton
Mookhey
Moriarty

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

Motion negatived.

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

Second Reading Debate

Debate resumed from Wednesday 5 June 2024.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:31): I speak on behalf of the Government to strongly oppose the Hon. Scott Farlow's private member's bill—or the Opposition's private member's bill; let us be clear about who owns it—the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024, which was introduced into the Legislative Council in June. The bill is reckless and irresponsible. The aim of the Opposition's bill is to enable the State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024 to be disallowed by a vote in the Parliament. That will affect all 37 chosen transport oriented development [TOD] sites across Greater Sydney, the Illawarra, Shoalhaven, Central Coast, the Hunter and Newcastle. The clear implications are that it will essentially throw out the new, needed planning rules and lock the current and next generation of young people, families and key workers out of securing their own homes. It will directly put at risk up to 170,000 new homes over the next 15 years and it will risk hundreds of thousands of direct and indirect jobs over that period.

The bill, if passed, will undermine the State's plan, which is the only plan on the table for delivery of housing to confront the housing crisis. It will also reintroduce into the planning system the inconsistency and uncertainty that were the hallmarks of the planning system under the previous Government, which helped deliver the housing crisis and the delays in the assessment of job-creating infrastructure that this Government has been unwinding since day one. Let me be clear: The Opposition is not offering an alternative housing plan in this bill. It is now well recognised across our communities that we are in the middle of a housing crisis and that we all have a shared responsibility to act together to confront it.

The challenges facing the generation who are currently missing out on Australia's social contract are well known by all. Rental vacancies are around 1 per cent in Sydney, making it harder than ever before to rent a property. Median rental prices are up 37 per cent since 2020, and an estimated 47 per cent of low-income renter households are in rental stress. The cost of servicing a 30-year mortgage is almost 30 per cent of disposable income, which is the highest level since 1991. Construction sector insolvency is at near-record levels. We have the highest level of workforce shortages in construction. The crisis is being felt especially hard in New South Wales and this Government is addressing it, but it is a shocking legacy left behind by 12 years of Liberal-Nationals governments.

The Opposition's bill would only make it worse. At a time when housing availability and affordability are the two biggest concerns for the people of New South Wales, the bill would undermine the Government's ability to deliver more affordable housing for health workers, police officers, hospitality workers, bus drivers, firefighters, cleaners, teachers, young families starting out and those looking to downsize. The bill is nothing short of reckless. There is no further confirmation required than the scorching editorial published in *The Sydney Morning Herald* in June this year entitled "Sydney's housing crisis no place for low-rent politics". It stated:

In a remarkable political own goal, the NSW Liberals are working to tear down legislation aimed at Sydney's chronic housing shortfall, but remain tight-lipped about how they will solve the crisis.

It concluded with the real kicker:

But we believe that increasing housing density in areas of the city that avoided having to shoulder a larger residents base due to accidents of birth, wealth, planning, history and demography is no bad thing. It is a fair thing, too.

While the Liberals plot to overthrow the legislation, they should consider facing the political reality that any party without a credible plan to deal with the biggest issue facing Sydney does not deserve to be anywhere near government, let alone be taken seriously. Those words should be seared into the minds of the Hon. Chris Rath, the Hon. Jacqui Munro, Senator Andrew Bragg and the NSW Young Liberals. I would like to give a quick shout-out to Richard Shields for his excellent efforts; I am sure he got his nomination in. As we know, he is opposed to housing in Woollahra, so a big tick for Richard.

I digress. The key assertion made repeatedly by the shadow Minister for Planning and Public Spaces to the media and in his second reading speech is that the TOD State environmental planning policy [SEPP] was "imposed on communities without any opportunity for consultation and with no additional funding to address infrastructure needs and essential services". That assertion is false. I will take some time to outline the legal technicalities of how a SEPP is developed and the comprehensive community consultation undertaken by the Minister for Planning and Public Spaces and the Department of Planning, Housing and Infrastructure in a TOD SEPP's development. Section 3.30 (1) of the Environmental Planning and Assessment Act requires Minister Scully, as the Minister, to take such steps, if any, as are considered appropriate or necessary to publicise a document explaining the intended effect of the proposed planning instrument, and to seek and consider submissions from the public on the matter. As the section states, there is no minimum prescribed consultation requirement for making a SEPP. It reads "such steps, if any, as are considered appropriate or necessary". The New South Wales Government did consult, and I will outline how comprehensive those consultations were in a moment.

Over the past year the Government has made public commitments to the National Housing Accord target to deliver 377,000 new homes over the five-year accord period. Firstly, the New South Wales Government is meeting a public expectation, along with the Commonwealth Government and all other signatories of the National Housing Accord, which includes all councils, that more housing must be delivered in our State. Secondly, in the creation and selection of locations the Department of Planning, Housing and Infrastructure sought advice and used many different inputs to determine them.

Some of the critical inputs relied upon were the local housing strategies and local strategic planning statements for each council. All the locations are in the councils' local strategic planning statements and local housing strategies. The strategies underwent significant community consultation and have been endorsed by those councils. Councils plan for growth in those areas and they have already consulted communities on that growth, but in many cases councils have not undertaken the strategic planning, which is why the New South Wales Government has stepped in. The only outstanding local housing strategy that has not been finalised or endorsed is that of Ku-ring-gai Council. Even then, Ku-ring-gai Council indicates, in its draft local housing strategy and local strategic planning statements, that four stations in its local government area are places for residential growth because of their connectivity to the heavy rail line—a pretty basic and simple idea, one would have thought.

The department also consulted infrastructure agencies like Sydney Water, Transport for NSW and our other agencies on the infrastructure capacity and needs in those areas. The locations were chosen based on their infrastructure capacity, noting that council had already undertaken broad local community consultation on the places for future growth as part of its own strategic planning, and because the department worked with infrastructure agencies on understanding capacity opportunities and constraints. Minister Scully directed the Department of Planning, Housing and Infrastructure to undertake targeted consultations and to seek submissions from stakeholders on the proposal. Unlike what the shadow Minister and members opposite have asserted, consultations were undertaken with councils between December 2023 and April 2024, before the New South Wales Government launched the TOD program.

The department published a TOD Program document and sought feedback from all or any stakeholders. The department and the Minister also undertook rounds of consultation, feedback sessions and workshops directly with the councils affected. The department sought advice from council and stakeholders on the draft SEPP itself. In two separate sessions per council, council staff and councillors—some of whom do not have their nominations in and will no longer be able to be councillors—were briefed on the TOD SEPP program, its intent, proposed planning changes and support offered by the department. Those briefings were conducted between January and March 2024 with the 14 councils originally affected by the TOD SEPP.

Two rounds of briefings were conducted: briefings with council staff, chaired by the Director of Housing Delivery and attended by departmental staff; and briefings with councillors, chaired by the Secretary of the Department of Planning, Housing and Infrastructure, and attended by the Acting Deputy Secretary of Planning, Land Use Strategy and Housing and departmental staff. The department also met with other critical sector stakeholders, including Local Government NSW, the Australian Institute of Architects, and Planning Institute of Australia.

Members of the department's planning and professional peaks forum include the Association of Australian Certifiers, the Association of Consulting Surveyors NSW, the Australian Institute of Building Surveyors, the

Australian Institute of Landscape Architects, the Environment and Planning Law Association, the Environment Institute of Australia and New Zealand, the Urban Development Institute of Australia, the Urban Taskforce, the Property Council of Australia NSW Division, the Housing Industry Association, the Business Council of Australia, Business Sydney, Shelter NSW, Community Housing Industry Association, the Committee for Sydney, WalkSydney, Sydney YIMBY, and the Heritage Council of NSW.

The Minister and the department wanted to hear directly about concerns with the TOD SEPP to inform decision-making and make sure they took into consideration the issues raised, including specific feedback on development standards, like proposed maximum building heights of 21 metres, floor-to-space ratio of three to one, applications to MU1 zones, the removal of minimum lot size and width, and active street frontage requirements in E1 and E2 zones. They also got feedback on amenity and design controls, the affordable housing mechanism, and controls applying in heritage conservation areas. Councils worked and continue to work constructively with the Government on outcomes that will benefit their communities now and into the future—a point made by councils in testimony at public hearings of the TOD Program inquiry currently underway by Portfolio Committee No. 7 - Planning and Environment, chaired by the Hon. Sue Higgins and of which the shadow Minister is a member.

Interestingly, the evidence before the committee did not include the proposition that is sought by the Opposition's bill. The department received 14 submissions from councils, with 10 endorsed at a council meeting, and received many more from external stakeholders. The Minister and the Government listened to what they said. As a result of consultations and agreements with councils, changes were made to the final policy and development controls, including the staging of 19 TOD SEPP sites to allow for local planning to occur; an additional six TOD SEPP sites being added, suggested by councils on behalf of their communities, bringing the total to 37 stations affected by the SEPP and the cumulative total of potential new homes to approximately 170,000; changes to controls, including greater heights of buildings but lower floor-to-space ratio; and not applying the new controls to heritage items but continuing to apply them to heritage conservation areas.

The Government has agreements with 12 of the 13 councils about councils doing their own planning, adding more stations and allowing the TOD controls to commence in some locations. The shadow Minister asserts that the Government has given no thought to infrastructure. That is incorrect. The TOD sites were selected precisely because of their access to infrastructure. The department undertook analysis of 305 Sydney Trains, Sydney Metro and intercity stations within the Six Cities Region to identify locations that have enabling infrastructure capacity close to a transport station to support additional housing growth. It was informed by an evidence-based approach that used planning, infrastructure and spatial data, along with expert advice and feasibility analysis. The analysis identified that the original 31 locations have the capacity to support additional growth, and the Government has added a further six locations after further consultation.

The department also sought the advice of the Government's own infrastructure agencies. The Government has committed \$520 million for infrastructure in accelerated transport-oriented development precincts. In addition, the Government announced \$200 million of funding grants over three years for councils that meet or exceed their housing targets, including councils affected by the TOD Program. The Housing and Productivity Contribution scheme—one of the first pieces of legislation introduced in the new Parliament, which was opposed by the Opposition—came into effect in October last year and will help fund the delivery of essential State infrastructure in high growth areas.

The Government continues to encourage councils to invest the funds that they collect from infrastructure contributions plans to improve local infrastructure. Importantly, councils should update their contributions plans and, as Minister Scully has made clear, the department will support councils in this task. While the Government has a clear plan to create more jobs and build more well-located homes close to transport centres that have the existing infrastructure capacity to support housing growth, the Opposition's bill creates uncertainty. It creates uncertainty for industry, councils, communities, tradies and those who work in the construction industry and for the future housing of our key workers, like teachers, nurses, health workers and bus drivers, to name a few. It creates uncertainty for the people that this Government proudly represents—people who are desperate for houses to be built and delivered. The Opposition is turning its back on all of those people.

It is about more than just a housing benefit; it has a direct impact on job creation for the future. Every time a new water connection is made, a new road is built, a new park is created or a new footpath is constructed, jobs are created. Thousands of new homes need thousands of people to build them. Those builders need truck drivers and suppliers to get materials to sites. In fact, it has been estimated that 100,000 jobs will be created directly by building homes in the TOD locations over the next 15 years. The Opposition is forsaking those opportunities. That is in addition to the 200,000 indirect jobs that are being created to deliver around 170,000 new homes. Since the announcement and subsequent commencement of the TOD SEPP, landowners and developers have been making

investment decisions and plans based on the new planning provisions applying to TOD sites. The Opposition's bill would create massive uncertainty for finalising those investment decisions.

Financial challenges, constrained material supply and labour shortages present feasibility stress for the development industry at the moment. Removing the TOD SEPPs, as the Opposition seeks to do, would significantly impact on the feasibility of projects under consideration and create uncertainty for businesses. That is all coming from the political party that says it represents business. There would be uncertainty for the very industry that we rely on to build the homes we need to ease pressures on housing diversity and affordability.

I have outlined to the House how the consultation, policy development and infrastructure considerations were dealt with by the Minister and the Government, and the fact that the Government has reached agreements with 12 of the 13 councils to get to where it is today. It makes you wonder, if 12 of the 13 councils are satisfied and in agreement about the way forward, what is the bill really for? Is it for the one recalcitrant council that did not and could not reach an agreement by doing its own local planning because it is philosophically opposed to more density in its local government area? Is it for the council that continues to oppose any change to its area despite its significant rail capacity, amenity and good services, and the wish of young people and families to live within it? Is it for the council that votes down the considered planning motions of its own staff? Is it for the council that is now using ratepayer money—which it still refuses to disclose—to bring these matters before the Land and Environment Court rather than undertaking good planning work, as all other councils have done or agreed to do?

Is it for the council that has abrogated its planning responsibilities on many occasions over the past couple of decades, including failing to endorse its own local housing strategy? If that is the case, why not be open about it? The Opposition should rename the bill the Ku-ring-gai Council Nimby Bill. The effects of the bill would go well beyond Ku-ring-gai. They would affect a generation of young people currently locked out of the housing dream. No weasel words are enough to absolve the Opposition of the true intent of the bill. The Opposition's bill would set a dangerous precedent for the State's land-use planning system.

Environmental planning instruments, including SEPPs, are not subject to the disallowance procedure that applies to other regulations. At no other time in the history of the planning instrument has a SEPP been successfully disallowed by a bill. In fact, the only two times that Government Acts have repealed a SEPP in the past were done as part of housekeeping measures to remove redundant instruments, regulations or legislation. In both instances, the SEPPs were repealed with an alternative policy approach or regulatory framework already, or proposed to be, in their place. That is not the case with the Opposition's bill. A 2021 Regulation Committee inquiry considered the possibility and did not recommend that SEPPs be subject to disallowance. It is worth recording in *Hansard* what the committee concluded. It said:

... at this stage we believe the case has not been made for SEPPs to be subject to disallowance by Parliament. Disallowance is a blunt instrument and in the context of SEPPs, has the potential to create uncertainty and inconsistency in the planning system.

I suggest the House heed its own very sensible advice. Some 170,000 keys in doors will be gone if the House agrees to the passage of the bill. It will lead to the construction industry being stuck in a void, and the planning system will resume its chaotic and confused function as it existed under the 12 years of the previous Liberal-Nationals Government. The House should not support this reckless bill.

I conclude by revisiting a very interesting speech delivered in this House by the Hon Chris Rath on 11 October 2023, a day of infamy on the housing issue for the Opposition. The Hon. Chris Rath said:

One of the key reasons underpinning the home ownership crisis is the State planning system, which places an extraordinary administrative burden upon developers and favours a select group of rent-seekers, the nimbys, who seek to restrict housing in their area for their own selfish purposes. The Opposition must come to terms with the fact that our previous Government is culpable in this crisis.

...

I say to Liberal members of Parliament who are a little worried every time they get a phone call, an email or a letter from one of those boomer nimbys in their electorates: The reality is you will not lose your seat because of 10 letters from a few nimbys who do not want a development to go ahead. But you will lose your seat if only one in five gen Z and one in four millennials are voting for the Liberal Party because they cannot afford to buy a home. That is how you are going to lose your seat. My suggestion would be to do more to drastically increase private housing supply in New South Wales and maybe worry a little bit less about the handful of nimby boomers who email and phone your office.

I look forward to his vote on the bill. Will he stand up for what he said previously? I suspect not. This is bad policy, it is a bad idea and it is going to do significant harm. We need to put up or shut up when it comes to the housing crisis. Do members care about whether people will be able to afford to live in this city and in this State in the future? If they do, they should vote against the bill.

Ms SUE HIGGINSON (16:50): On behalf of The Greens, I speak in debate on the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024. Transport oriented development is not a new idea, and working towards greater density around railway and metro

infrastructure is clearly a positive ambition. In principle, The Greens agree that co-locating new housing with existing infrastructure, including transport hubs, is crucial to fostering well-connected, thriving communities. From the cities to the regions, people across New South Wales should be able to live in well-planned areas with ample public and accessible green space, deep soil, mature trees, public and affordable housing, health and community resources, and reliable transport links to work, school or wherever they need to go.

Delivering this vision will take carefully considered strategic planning. I think it is important to recall that the planning policy was announced prematurely. It was uploaded accidentally. Unfortunately, such things do happen, even if they should not. I am sure the Government experienced serious misgivings around it. We therefore know that it was probably not the most perfectly delivered policy, but it can be measured by what the Government, and the shadow Minister for Planning and Public Spaces himself, have done since what we will refer to as the error of announcement. Since that time, I—and, I am sure, many other members of this place—have received dozens of requests from all across Sydney and the relevant regions, asking for assistance in understanding the proposed changes. The people contacting me were councillors, council staff and members of the community. It was a leading reason for the establishment of the inquiry by Portfolio Committee No. 7.

The inquiry has received in excess of 231 individual submissions and has held three hearings to date with a wide range of views being raised, including some really helpful and productive evidence. The committee was established on 23 February and is not due to report until 15 October this year. The Greens supported the inquiry precisely to give all concerned people and groups an opportunity to give their evidence and make their submissions to inform the committee's report. Some of the concerns that we have heard are that, without consultation and community consent, densification would result in resistance and conflict between councils and the State Government. The loss of tree cover, pressure on public amenities and an overall reduction in housing quality were also raised as issues if the changes were not adjusted to allow for meaningful local input.

Since the policy first came to our attention, the Minister for Planning and Public Spaces and the Government have demonstrated a genuine and active willingness to listen and work for the community's trust and to make changes where there has been an identified need and a good case made. It is important to understand that sometimes planning is like that. Consultation can be iterative. We can see through the progress of the transport oriented development inquiry that, since making submissions and coming to give evidence, councils have changed their positions to feeling that they have had productive meetings with the Minister. They feel that they are now on the path and that their views are being taken into account. That is really important and needs to be understood and remembered. The inquiry is public, and all can read and see it for themselves.

All that said, The Greens still have genuine concerns, and we want the Government to more clearly set out its reform agenda for housing in New South Wales. The Greens do not accept a supply-only solution. I acknowledge that recently the Government adopted a Greens policy from over a decade ago—namely, an end to no-grounds evictions. Members know that my colleague in the other place the member for Newtown has been working for this outcome since she was elected. It is a tribute to her work that it is now Government policy.

Ambitious and systemic reform is needed in the housing and planning spaces. Of particular concern is that publicly owned and operated housing has not been particularly considered in these changes, despite the cost-of-living and homelessness crises. We know that even the affordable housing that could be constructed under this plan will, in most cases, only be 15 per cent of total homes and will revert to full-price housing after 15 years. The position of The Greens is informed by the evidence and the community, and both of those have evolved through the course of the inquiry. The Greens have a clear history of advocating for greater oversight of statutory instruments, particularly disallowable State environmental planning policies [SEPPs].

The Leader of the Government also spoke to this, but I make a couple of points about the 2021 Regulation Committee inquiry into the making of environmental planning instruments. My colleague on that committee, Ms Abigail Boyd, wrote a dissenting statement at the time that set out The Greens' position on SEPPs as disallowable instruments. She stated:

As a general rule, all delegated instruments of a legislative nature should be disallowable in order to better protect the constitutional principles of democratic oversight and parliamentary sovereignty. It is the Greens' view that no compelling reason was put forward during this inquiry for why that general rule should be abandoned in the case of SEPPs.

Ms Abigail Boyd attempted to amend the inquiry report by replacing a paragraph of it with the following:

The committee does not believe that any compelling reason has been put forward during this inquiry for why that general rule should be abandoned in the case of SEPPs. On the contrary, given that SEPPs cover a wide variety of issues, can override primary legislation and can have a direct and significant impact on the rights and interests of individuals, the committee considers that the case for SEPPs to be disallowable instruments is particularly strong.

Here's the rub: I place on record that the shadow Minister for Planning and Public Spaces, the Hon. Scott Farlow, was also a member of that committee and voted against Ms Abigail Boyd's proposed amendment to the report.

I put on record that the bill before us is not a step towards the system reform that The Greens are working towards. It is a disingenuous step from the Hon. Scott Farlow, the shadow Minister for Planning and Public Spaces. If it was unsupportable then but is now something that suits his political convenience, the member should take a long, hard look at his motivation. Taking advantage of opportunities can be very good—we all do that in this place—but the intent really matters. This bill is not respectful of the ongoing committee process. We need to wait until the committee's work is done, the inquiry report has been tabled, the recommendations have been made and the Government has been given a fair opportunity to respond.

I also put on record that in all of my interactions with the Minister for Planning and Public Spaces to date, he and the department were very open to making the process as good as possible so that the inquiry can achieve the best outcomes. As I have said a number of times, the Parliament has some very important conventions. There are excellent integrity processes in our inquiry system. There is a TOD SEPP inquiry, and its terms of reference are broad and inclusive. The Hon. Scott Farlow is a member of that committee, and the Opposition has a great voice there. The Greens do not support the bill. It is absolutely important that the inquiry process be taken to its conclusion, the report be respected and considered, and the Government be provided the proper opportunity to respond.

The Hon. MARK LATHAM (17:01): I speak in debate on the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024. The Hon. Scott Farlow is a cruel and heartless individual because the poor old Minns Government only has one policy, which is housing supply, and he wants the Parliament to disallow it. The Government will be left with nothing—a complete and absolute vacuum. How cruel! Fundamentally, he has also put forward a bill that is anti-Western Sydney. For as long as I have been alive and living there, the great struggle in Western Sydney has been to ensure that jobs and services come in before the people do. That has been a losing battle. For decades, each wave of housing growth has not been matched by the jobs and services that are needed and that other parts of Sydney take for granted. For the Parliament to disallow a SEPP that is designed to ensure that the bludging North Shore pulls its weight is obviously against the interests of Western Sydney.

Let us take stock of what is happening. Campbelltown is joining up with Appin. Sydney's sprawl is now so vast that it is 75 kilometres to Appin from where we stand in the CBD. The sprawl is so bad that it is on the scale of Los Angeles. Every time Sydney sprawls further and further to the south-west, the west and the north-west, there is growth in the cost of reticulated services, the cost of housing, the cost of sitting in traffic jams and the cost of government infrastructure. We need a consolidation policy. To his credit, that is essentially what the planning Minister is trying to achieve. He is not frightened of the North Shore councils. He is not frightened of local government. What did Bob Carr say about them? "They wear their shiny little badge and carry a whisky flask in their back pocket." He is not scared of them. They need to carry their weight.

Some parts of the North Shore are depopulating. While Sydney sprawls towards Appin and then the short step to Wilton, parts of the North Shore are depopulating. How do we know? Most obviously, we have lost the Federal electorate of North Sydney in the latest fair population redistribution. It is in the political interest of the Liberal Party to save those electorates from depopulation. I suppose the challenge is to win them back from the Teals. Felicity is there, of course. Her CV will carry the day. The Liberal Party needs to ensure that the North Shore, in all fairness, takes the pressure off the sprawl to Western Sydney. That is what the planning Minister is trying to achieve. I have some time for the member for Wairoonga and his attention to Ku-ring-gai Council, but this is nimbyism at its worst. It is against Sydney's overall interests. Western Sydney is crying out for urban consolidation. We cannot sprawl forever. We cannot rely on heading out to the foothills of the Blue Mountains and sprawling to Appin and Wilton in the south-west. Enough is enough. Western Sydney deserves a break.

I refer to Parramatta—I suppose we must be mindful of the Government's attitude about Rosehill racecourse. According to the data, over the past five years the Parramatta local government area has carried more of Sydney's population growth than any other part of the metropolitan area. The Government's policy is to put 100,000 people in Camellia-Rosehill in Hong Kong-style apartments without the infrastructure and jobs that are needed. Enough is enough in Western Sydney—whether we are talking about Parramatta, Penrith, the Blue Mountains, Campbelltown or Wilton. We have had enough of carrying Sydney's population without the jobs and services that are needed. This is sensible policy from the Minns Government. It is the only policy that the Government has; it should be preserved.

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) (17:04): I join my colleague the Leader of the Government to oppose the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024. Here we are. The mask has slipped, and the true face of the modern Liberal Party has been revealed. The bill brings into sharp relief the choices we face as a city staring into a dark future. That is not hyperbole. We cannot grapple with the deep intergenerational crisis we

face due to widespread exclusion from the housing market without addressing the challenge of housing supply. Sydney faces an uncertain, unequal and dangerous future if we do not confront the housing crisis.

Do we seriously still doubt that we have an undersupply of housing in New South Wales? Is that fundamental proposition genuinely up for debate? I welcome the reforms that engage with short-term rentals and vacant homes; I am happy to have that conversation. But anyone who does not accept that we have a fundamental undersupply of housing in Sydney is either a bad faith actor or fundamentally unapprised of the facts. The facts are these: We are building fewer homes than we need, both as a country by international standards and in New South Wales by national standards. Fewer homes are available to buy or to rent. The number of homes available for sale in Sydney has fallen consistently since 2015, despite the fact that sellers are benefiting from record high prices.

The cost of housing has increased in overall figures and as a percentage of income. The number of homes available to rent has been falling consistently since 2020. The rental vacancy rate, at 1 per cent or lower, is nowhere near the healthy rate of 3 per cent. As a direct result of that, people are paying more and more to secure a rental. Any member of Parliament who has engaged with anyone trying to purchase a home or find a rental cannot have failed to notice that the rising cost of housing is one of the most profound challenges faced by the people we represent.

These are the facts: Housing is shockingly unaffordable in Sydney and in New South Wales. One of the major reasons for that is the shocking undersupply of housing. We have become a city and a State incapable of housing our people. That is completely unacceptable. It calls for a transformational response from the Government that goes beyond business as usual. That is what this Government is trying to deliver. Yet here we are, staring down a nimby bill designed to plant a poison pill right in the heart of those reform efforts, from an opposition that created this problem and is now determined to stand in the way of solutions. Let us call this bill what it is: a nimby bill conceived by "No Housing Henskens" and "Not in my Backyard Speakman".

These are the stakes: If the bill passes, it risks blocking the building of 170,000 new homes. It risks blocking the hopes of 170,000 families. Their Australian dream will be shattered by the sad and tired politics of "not in my backyard". Unbelievably, that is the substance of the bill. During the worst housing crisis in generations, the Liberals are trying to block the building of the homes our State desperately needs. The Opposition is frustrating the efforts of the Government to build housing around transport hubs. Why? How can Opposition members seriously propose that?

Opposition members suggest consultation has not been done. That is absolute garbage. Extensive consultation was done both before and during the development of the rezoning plans. They suggest the infrastructure is not there. That is also absolute garbage. The sites were selected specifically because they were supported by infrastructure. The multibillion-dollar investments of taxpayers' money made to deliver public transport give us exactly the places we should build the homes. On top of the existing infrastructure, which is substantial, we have also put money in to support the delivery of any additional infrastructure. Is it a little bit of money? Is it a couple of hundred million dollars? Half a billion dollars has been put in to support infrastructure specifically designed to support the rezoning.

The Government's position is clear: Housing should be accessible, well designed and close to essential services like public transport, schools and hospitals, not on the city's fringes adding to the endless sprawl. The Government did the work and completed the analysis. We have the sites and have set the targets. It is basic common sense. It is practical, sensible and fair to take advantage of the investment in public transport and ensure that the homes are built in the best locations supported by infrastructure. The proposition to disallow this once-in-a-generation rezoning to provide a pathway for housing in areas best suited to support it begs the obvious question: If not here, then where? The Opposition's failure to answer that question leads to the obvious conclusion: nowhere. It has no alternative, no plan and no other ideas.

Let's get serious. If we are not building homes along major transport routes, then where are we building them? Are we building them away from major transport routes? Is that honestly the Opposition plan? Are we to build them on the floodplains or on Sydney's fringe, with no services or infrastructure? What is the housing policy of the Opposition? I follow this closely, and I have no idea. It is complete chaos. Mr "Not in my Backyard" Speakman said:

The opposition is in furious agreement with ramping up housing supply and that will involve substantial rezonings along major corridors.

Yet when it comes to housing in his own electorate, he blocked the building of 30 apartments metres from Cronulla train station. Alister Henskens said transport oriented development would break up communities and neighbourhoods. He said, "Overdevelopment of neighbourhoods is going to lead to a visual slum." Rory Amon

said, "Significant development on the northern beaches will harm our way of life." We know what he really means. On the other side of the argument, the Hon. Chris Rath said:

My suggestion would be to do more to drastically increase private housing supply in NSW and maybe worry a little bit less about the handful of NIMBY boomers ...

People struggling with housing affordability deserve to know what the alternative proposition is. Yet it is absolute pandemonium. The last time our country faced a housing crisis of this magnitude was during the post-World War II era, when the birth of the baby boomers created hundreds of thousands of new families keen to put the dreadful war behind them, grow and build our country. Labor governments answered the call. Bill McKell and Clive Evatt embarked upon a building program that would profoundly reshape and benefit the city and the State. Did Prime Minister Menzies stand in their way? No. Did he seek to step in and actively block those efforts? Absolutely not. To his credit, Prime Minister Menzies welcomed and supported those efforts.

See how far the Liberal Party has fallen. See how in the face of the next housing crisis, the efforts of our Labor Government to stand on the shoulders of those who built this State and city are frustrated by a Liberal Party that is deeply opposed to giving young people and new families the kind of opportunity to grow and thrive that previous generations have had. In all seriousness, here is the rub: The Opposition should look young people in the eye and tell them they do not have a future in this city. I say to young people that I am so sorry it is so hard for them to get the housing that they need. We have a plan, we have the energy, we have the ideas, we have the spirit, and we owe it to them. We will keep building and the Opposition can keep blocking. I know which side of history I want to be on.

The Hon. ROD ROBERTS (17:13): I make a small contribution to this debate and to say that I cannot possibly support the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024. I congratulate Minister Scully on his attempts to address the housing crisis. Members will recall that I have been talking about a housing crisis in this Chamber for some time. I drive home to Goulburn on a regular basis, and I now feel as though I am in Sydney for the vast majority of the trip. I heard my colleague the Hon. Mark Latham talk about Sydney stretching out to Wilton. The latest subdivision is in fact out at Picton Road now. I am not sure where the nearest piece of public transport to Wilton is, but I suggest it is probably back at Campbelltown.

The Hon. Mark Latham: Menangle.

The Hon. ROD ROBERTS: Is that electrified?

The Hon. Mark Latham: No.

The Hon. ROD ROBERTS: It is not even electrified. Menangle is the nearest station, and it is not even on the electrified line. That is how far out we are developing. The developments out there are not equipped with schools, hospitals or anything to support them. They are getting further and further out, and it is unsustainable. I support the Labor Government's efforts, but I caution that simply changing the planning regulation will not solve the crisis. Hundreds of building firms have collapsed and gone into administration in New South Wales in this year alone. It is tough in the building and development industry at the moment. Changes will not happen overnight. Interest rates are high, labour rates are high, labour shortages are high and input costs are high. It is not an attractive time to develop, even if people want to. The TOD SEPP is not a silver bullet, but it is a start, and we have to start somewhere. Councils have had this issue on their plate for years. Ask Harry Triguboff about his potential development at Little Bay.

The Hon. Mark Latham: It's a nightmare.

The Hon. ROD ROBERTS: Exactly. It is a nightmare. It has been sitting with council for seven or eight years with nothing happening. Why would we not take the responsibility away from some councils? As for the Liberal Party needing to worry about appeasing their councillors, they will not have any councillors to worry about appeasing shortly. That shows the competence of Don Harwin and his leadership of the New South Wales Liberal Party. Notwithstanding that, I cannot support the bill, and I encourage the Government to continue.

In closing, it would be remiss of me not to say that the State Government needs to talk to its Federal counterparts about migration. That is not a racist or xenophobic thing. It is a fact that if we continue to bring in more people without homes to put them in, it will end up a disaster. Not only that, we are setting up migrants to fail. We say, "Come to Australia; we have got jobs." So the migrants turn up and they can get a job, but they cannot get a house. There is nowhere to house the new workers that we desperately need, and that needs to be factored into the equation as well. In closing, I apologise to the Hon. Scott Farlow. The bill has a good go, but it is a severe miss of the target. I encourage the Government to pursue building more homes.

The Hon. JEREMY BUCKINGHAM (17:17): I make a short, cute and pithy contribution against the Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024, because it is one of the most cynical pieces of attempted legislation I have seen in this place. It puts politics over policy. It puts the electoral opportunism of the Liberal Party in the northern beaches and northern suburbs above the best interests of the people of this State, this city and a whole generation of people who have been locked out of housing. I note that the Hon. Wes Fang is nodding—I thank him for endorsing my comments.

As the Hon. Mark Latham said, it is an attempt by the Opposition to throw sand in the gears of a good Minister bringing forward a comprehensive policy to consolidate development around critical infrastructure to expedite housing in this State—a valiant attempt. The TOD SEPP has got some issues, there is no doubt. Instead of getting behind it, as the Coalition should, it is campaigning against it in certain areas and campaigning for it in certain areas. I am reminded of the snake that eats its own tail, as the Liberal Party slowly devours itself, protesting and leading the campaign to say not in my backyard. And those protesters are protesting against the yimbys in their own party.

How do we know they are divided on the issue and are using it is a cynical tool? It is because it is Liberal Party policy. The State conference goes further than what we have seen put forward by the Minister and the government. It is a cynical attempt by the Hon. Scott Farlow. He was hot to trot for the bill—it was coming forward and there would be a disallowance within 14 days. But it did not come on and we then had the winter recess. The reheated bill is out of the fridge and will die a miserable death. It is cynical politics, and it is a bad policy. This bill will be defeated, as it should be.

The Hon. SCOTT FARLOW (17:19): In reply: I thank all members for their contributions, including the Hon. Penny Sharpe, Ms Sue Higginson, the Hon. Mark Latham, the Hon. Rose Jackson, the Hon. Rod Roberts and the Hon. Jeremy Buckingham. I will respond to some of the points that were made. In response to the contribution from the Leader of the Government, I note that infrastructure is more than just a train line. While she raised a range of Government programs, none of them are directed to the tier 2 Transport Oriented Development sites that are part of the TOD State Environmental Planning Policy [SEPP].

When it comes to many of those funding mechanisms, the Government is doing a lot of double counting. For instance, the \$520 million of funding for infrastructure in the accelerated precincts outlined in the explanation of intended effect—and there is an EIE process for those areas—is actually coming from the \$1.5 billion housing and productivity contribution. When we take that \$520 million of funding out, we must ask where the \$200 million is coming from for incentives to pay local government.

There are still many other challenges to be faced when it comes to communities and the infrastructure that is to be provided. Infrastructure is not just train lines; it also includes road upgrades, schools and open space. As we have heard from councils, rezoning those areas to be all six-storey residential buildings makes it harder to purchase property for open space in those denser areas. The Minister has also outlined that the Government encourages councils to update their contributions plan to take into account the additional density. If that is the case, why did the Government not give councils the opportunity to do that before it imposed this SEPP? It is foreseeable at the moment that, as it stands, developments could come in that are not subject to any updated contributions plan because it simply is not there. That is where the Government has got it all wrong. It should have given local communities the opportunity to do that first.

The Leader of the Government also said that, if this were to be disallowed, 170,000 keys would be gone. Within the housing accord period, the Government expects to deliver a fraction of that number—within the tens of thousands—when it comes to the TOD tier 2 program. The Government has already deferred 19 of the sites in order to work with local government. Why not do that for all of the sites and allow them all to have that opportunity?

Ms Sue Higginson and I both sit on Portfolio Committee No. 7 - Planning and the Environment—in fact, she chairs it—and she knows which way the report will go. The Hon. John Ruddick has already said that he will support the Government, so I do not know what she is waiting for. If the member were to wait for anything, I would remind her that this is a two-step process for that reason. This bill allows the SEPP to be disallowable; it does not actually disallow the SEPP. If this bill were to pass, the Parliament would have the opportunity to reserve its right of disallowance of the SEPP after it has been entertained by the committee. The committee has heard the evidence again and again that this SEPP will not achieve its objectives. We have heard that from industry, communities and councils. It is peculiar to have the view that the Government has responded to this, because it has not responded to 19 that are outstanding at the moment.

The Hon. Mark Latham has espoused the view that this is a Fibros and Silvertails fight. I would hate to remind the Hon. Mark Latham to have a look at the housing targets outlined by the Government. Under those targets, Western Sydney gets the biggest increases. For example, the Hills will have an increase of 35 per cent in

their housing stock; Wollondilly, an area close to the member's heart, will have an increase of 28 per cent; Camden, another area close to his heart, will have an increase of 25 per cent; and Liverpool, which is of course even closer to his heart, will have an increase of 21 per cent in the number of residents over the next five years. This is not a case of reorienting development from the west to the east. The west is growing more than anywhere else under the Government's plans.

I refer to the Hon. Rose Jackson's comments on consultation. If she had wanted to consult, she could have gone out to the community rather than just to the councils over the Christmas period. The councils did not have a mechanism to make a public submission. They were only putting in their submissions on the low- and mid-rise programs. There was not an open public process for them. We have seen from many of the documents that councils were only adding to the low- and mid-rise consultation. That was something that the Government put out an explanation of intended effect on. Funnily enough, it seems that the Government has now deferred it until after the local government elections, but it is something it has provided community consultation on.

I think it is quite remarkable that there is no explanation of intended effect. That is what makes this SEPP different. There has not been any genuine consultation with the community and the people who actually live in these areas. They were not notified and there was no explanation of intended effect. We hear that it is somehow something extraordinary to expect community consultation and to let local people have their say when it comes to these proposals. I refer to Minister to the contributions of the member for Summer Hill back when there were similar proposals in the Summer Hill electorate. She will find that the member was complaining about needing an extra consultation period of two weeks. These are communities and individuals who got no consultation whatsoever.

When it comes to the tier 1 program, the Government has quite rightly extended its community consultations across those areas to get more community feedback. It is obviously a valuable proposition to consult with the community rather than just consult with local government, as shown by the Government extending the consultation period with the tier 2 program. The Minister invited me to look young people in the eye. The Government should also look young people in the eye and stop trying to sell the fantasy that this will solve the housing crisis. The reality is that, under the Government's watch, development applications have gone backwards by 19 per cent over the past financial year. As the Hon. Rod Roberts pointed out, we are seeing more building companies go to the wall. In the past financial year, 1,400 building companies have gone to the wall. The Government is making building more expensive in this State, and it is leading to fewer properties being developed and built.

The Hon. Rod Roberts also outlined the issues with migration. This is something that should certainly be noted in this housing crisis, and it is something that the Government is always silent on. In the past two years one million people have come into this country, which has had an impact on the housing market. It increases the price of rentals and leads to limited affordability. The Hon. Jeremy Buckingham made some comments about timing. The 15 days is not 15 days of this bill, but something which takes up the provisions that would usually be within the disallowable instruments provision. If the bill was to be successful, then an instrument could be disallowed in that time. I commend the bill to the House.

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

The House divided.

Ayes12

Noes25

Majority..... 13

AYES

Carter
Fang (teller)
Farlow
Farraway

MacDonald
Maclaren-Jones
Merton
Mitchell

Munro
Rath (teller)
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn

Higginson
Houssos
Hurst
Jackson
Kaine
Latham

Moriarty
Murphy (teller)
Nanva (teller)
Primrose
Roberts
Ruddick

NOES

D'Adam
Faehrmann
Graham

Lawrence
Mookhey

Sharpe
Suvaal

PAIRS

Taylor

Donnelly

Motion negatived.

*Documents***WENTWORTH PARK GREYHOUND LICENCE****Production of Documents: Order**

The Hon. EMMA HURST (17:36): I seek leave to amend private members' business item No. 1213 by omitting "21 days" and inserting instead "28 days".

Leave granted.

The Hon. EMMA HURST: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 5 April 2023 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 Department of Planning, Housing and Infrastructure or the Office of Sport relating to ministerial correspondence:

- (a) all documents, including ephemeral or facilitative messages, relating to the Wentworth Park greyhound racing track;
- (b) all correspondence, including ephemeral or facilitative messages, with Mr Peter V'landys, Racing NSW staff or Racing NSW board members relating to the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport's 2024 trip to Las Vegas;
- (c) all correspondence, including ephemeral or facilitative messages, relating to, sent to, or received from Mr Peter V'landys, Racing NSW staff or Racing NSW board members; 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.

This is a fairly limited request under Standing Order 52 seeking to further explore issues that have come up in upper House inquiries and at the last budget estimates hearings to get a better understanding of the work that Minister Kamper is involved with in this space. The first issue relates to the Wentworth Park greyhound racing track and the revelation that the New South Wales Government is considering backflipping on the Coalition's decision to end the greyhound racing industry's lease. Earlier this year it was revealed during budget estimates that Labor is considering allowing the racetrack to continue to operate in Wentworth Park, instead of returning this Crown land to the community.

This is a shocking decision by the Minns Government. There is a risk that extending the lease to the industry could collapse planned housing development in the area that was predicated on the space at Wentworth Park being made available. We are told that Labor is prioritising housing, yet this decision flies in the face of that. It puts at risk plans to build hundreds of new homes in one of the city's most popular locations. We have been advised that Minister Kamper, in his capacity as the Minister for Lands and Property, is responsible for making the decision on the lease for Wentworth Park and yet, for many months now, we have heard nothing about what is happening. No-one can get any information. I am aware that individuals involved in the original agreement to turn the area into green space and housing are seeking answers, but they are being ignored. This call for papers seeks all documents relating to this issue.

The next issue relates to Minister Kamper's trip to Las Vegas earlier this year with Mr Peter V'landys, the CEO of Racing NSW and Chairman of the Australian Rugby League Commission. This trip cost New South Wales taxpayers almost \$35,000. Members would be aware of the disturbing revelations coming out of the parliamentary inquiry into the proposal to develop Rosehill Racecourse. The select committee has received concerning evidence about the significant amount of time and money that Racing NSW puts into entertaining politicians and winning their favour.

Interestingly, Minister Kamper's costs for the trip seem to be limited almost entirely to first-class air travel. Few other expenses are declared. This provides reason to place scrutiny over this trip and any communications Minister Kamper and his office have had with Mr Peter V'landys or Racing NSW staff generally, given I have

been informed that quite a number of them also travelled to Las Vegas. The Government requested an extension of time for complying with the order under Standing Order 52 from 21 days to 28 days. I moved that amendment in good faith. I understand that the Government will not oppose the motion. I urge all honourable members to support this call for papers.

The Hon. MARK BUTTIGIEG (17:39): By way of background, the current greyhound licence at Wentworth Park expires in 2027, and the Government has ruled nothing in or out. We want to see greater community activation of current facilities. A multipurpose community space that everyone can enjoy is needed. As Blackwattle Bay and the new fish markets start to revitalise the area, we need Wentworth Park and its facilities to come to the party. A decision on that will be made in due course, but I reiterate that at this point the Government has not made a decision.

In the interests of transparency, the Government supports the motion for an order for papers under Standing Order 52. We asked the member to make what we thought were two minor and reasonable amendments. We thank her for agreeing to the first one, which is the extension from 21 days to 28 days. There was also a request to amend paragraph (c) of the motion, which outlines the following new catch-all description:

... all correspondence including ephemeral or facilitative messages, relating to, sent to, or received from Mr Peter V'landys, Racing NSW staff or Racing NSW board members.

Members will appreciate that the descriptors "ephemeral" and "facilitative" are a catch-all, applying to literally thousands upon thousands of communications across a range of departments. That will put an onerous strain on the public service and will have minimal, if any, utility for the member, given the extraneous nature of the communications. But, given that the Government supports transparency and the order, we will not oppose that paragraph. We thank the member for at least agreeing to the first amendment to extend the order to 28 days.

The Hon. SARAH MITCHELL (17:41): On behalf of the Opposition, I indicate that we support the motion. As the shadow Minister for my portfolios, I am not fully across all of the details of the information the member seeks, but the Opposition certainly believes in transparency and accountability. We think it is important to support calls for papers under Standing Order 52. We love it when that is returned from the crossbench. We group together to ensure government transparency. The Opposition supports the motion and wishes the member the best in getting the information she requires from the motion.

Ms CATE FAEHRMANN (17:42): The Greens also support the motion of the Hon. Emma Hurst. As a member of the inquiry into the sell-off of Rosehill Gardens Racecourse, I am very interested to see what comes back in relation to any involvement by Peter V'landys and Racing NSW. I am also interested to see the communications about the trip that the Minister for Sport apparently took to Las Vegas. On that basis alone, we support this call for papers under Standing Order 52.

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

Motion agreed to.

Motions

REGIONAL TRANSPORT SUBSIDIES

The Hon. SARAH MITCHELL (17:43): I move:

- (1) That this House notes that:
 - (a) the Minns Labor Government cut regional bus subsidies for the Eden-Bomaderry and Lismore-Tweed Heads routes; and
 - (b) after receiving immense criticism for this decision, the Government reinstated the subsidies.
- (2) That this House calls on the Government to assure the House that no further transport subsidies will be cut.

I am happy to move this motion in the House today. I start by acknowledging the good and hard work of my colleagues the Hon. Natalie Ward and Dave Layzell as shadow Ministers responsible for transport and regional transport, because they brought this issue to the attention of the Government. Labor Government members often do backflips. We have seen many in the time they have sat on the Government benches. But this was almost like a Simone Biles level backflip in how quickly the Government moved from cutting the subsidy to reinstating it.

Concession fares were made possible along two bus routes at the northern and southern ends of the New South Wales coast through subsidies paid to private bus contractors such as Premier Motor Service. That \$2.50 subsidy was introduced under the former Government so pensioners and concession card holders could travel into the city for services such as medical appointments, accessing the airport or recreational activities. Premier Motor Service received a notice from the State Government on 31 July stating that its funding agreement

concluded on 31 May and no further funding would be paid in relation to the Eden-Bomaderry and Lismore-Tweed Heads service. That letter was received after the company sent an invoice to the Government for payments from June. The Government also stated that the invoice could not be paid. Without the subsidy, commuters paying \$2.50 for a regional excursion daily ticket would be forced to pay up to \$65.

We are in the middle of a cost-of-living crisis. People are doing it tough, now more than ever. So to say to pensioners and concession card holders living in regional areas, "Sorry, we are not going to give you a \$2.50 fare. We are hiking it up to \$65," was nothing short of outrageous. When we asked questions about it in this House and the other place, what we got back from the Government was frankly pathetic. Jodie Harrison, the Minister for Seniors, answered in the other place, "We have some hard decisions to make." When we asked the Minister for Regional New South Wales in this place, she said:

... we inherited a hotchpotch of bespoke and grandfathered rural and remote bus contracts that meant that, under the previous Government, access to concession fares for regional people depended upon where they lived. We are in a cost-of-living crisis and the Government is determined to deliver better transport options for people in regional communities ...

How on earth does increasing the fare from \$2.50 to \$65 provide a better transport option? It shows how little those opposite know or understand about regional communities. It is very difficult for people who do not drive and need to access public transport to get where they need to. Often it is a more major city or centre. They need support from the Government. It is very different in the city. In Sydney, a senior can catch public transport using their Opal card and they will be charged a maximum of \$2.50 a day.

When Labor members come into power, they forget about anyone who lives outside Sydney. That are happy to make sure concessions are available for city-based pensioners, but not for those who live in regional areas, in this case the South Coast and the Tweed. I give a big shout-out to the member for Tweed and shadow Minister for Seniors, who was very strong in supporting his local community. If people do not get financial support, they will not access their medical appointments and/or go into the city. That has a big impact on people's lives.

For those opposite to cut the subsidy and then somehow pretend that it was not their fault is ludicrous. We have seen them do that already. The regional seniors travel card is now gone as well. How much more are regional people supposed to take thanks to this Government? There was immense criticism of the Government's decision, and, lo and behold, it reinstated the subsidies. We acknowledge that reinstating the subsidies was the right thing to do, but the Government should never have cut them in the first place. It should not have taken the sustained and heroic efforts of people like the Hon. Natalie Ward and Dave Layzell to say, "This is wrong. You need to do better." Whichever bean counter made the decision, there should have been a Minister at the table who said, "Hang on. This is not fair. Country people need to access services. They should have a subsidised bus route, just as people who live in the city have subsidised public transport." It is not good enough to treat people who live outside Sydney as second-class citizens.

Members on this side of the House will not stand for it. We will move motions like this one. We want this Government to assure the House that no further transport subsidies will be cut. There is not a regional program that members opposite will not take the hacksaw to. Everything that supports regional New South Wales is cut, cut, cut. It has been that way from day one. This was a mistake by Labor members. They should admit that they did the wrong thing and reinstated the subsidy because of pressure from members of the Coalition. They should give certainty to pensioners and concession card holders in regional areas that they will never do anything like that again.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (17:48): Having heard the Deputy Leader of the Opposition, members might have missed the fact that the \$2.50 fares are in place and have continued to be in place. This matter was discussed in the House over the course of the week. It was the subject of questions and I put some of the facts on the table. I will do so again, given the concerns that have been raised.

Firstly, I acknowledge the Government is very clear that we are living in a cost-of-living crisis. There is real pressure on families. That is true in the city, and it certainly is true in the bush and in regional communities. Public transport is an important part of people being able to deal with that pressure. Bus concession fares for regional coach services will continue; that is true of the North Coast and the South Coast. To be specific about what that means, eligible concession holders will continue to access \$2.50 fares on the Eden to Bomaderry, Lismore and Tweed Heads routes, including the routes operated by Nowra Coaches. The Government understands that there was community concern amid reports that the fares could have increased from \$2.50. The Deputy Leader of the Opposition is correct: Under the arrangements struck by her Government, if that contract had not been re-signed, the cost could have soared as high as \$65. I placed that fact on the record earlier in the week.

In mid-2021 Nowra Coaches was signed up to a three-year contract, which was set to expire in May 2024. There were no plans at that stage to continue the arrangement and that is why the contract expired. The Deputy Leader of the Opposition is right to draw attention to this. I have paid respect to other members who raised these issues and I have given credit to a member who has put this view very strongly in public and in the Government, and that is the member for South Coast, Liza Butler. I ask the Opposition to recognise that. I will be clear that a new agreement has been reached between Transport for NSW and Nowra Coaches that will ensure that people's rights are respected in the way that is being asked for. In the long term, my colleague Minister Jenny Aitchison is working on Strategic Regional Integrated Transport Plans. She has strongly advocated for services to be better coordinated in the bush, and the plans will be the vehicle for that. I thank her for her work on that issue.

Ms CATE FAEHRMANN (17:51): I reject the motion moved by the Opposition and signal that I will move an amendment. I am frequently contacted by members of the community about the appalling state of regional transport in New South Wales, from Bega to Byron Bay to Broken Hill. People living in the regions largely have to rely on owning a car to get out because there just are not reliable buses, trains or anything else. In many parts of the State, there are not even any buses or trains or anything else. The Bus Industry Taskforce's final report found that in regional New South Wales, 70 per cent of regional cities, regional centres and centres have a very high or high need for improved public transport services. Just 34 per cent of towns and centres have a daily connection to their nearest regional centre. I am moving an amendment because, frankly, it is a bit rich for the Coalition to cry foul over public transport failures. I move:

That the question be amended by omitting paragraphs (1) (a) and 1 (b) and inserting instead:

- (a) the privatisation of the bus industry has led to a network rife with delays, cancellations, chronic understaffing and appalling working conditions;
- (b) affordable, connected and accessible public transport for regional areas is a necessity for communities; and
- (c) although bus subsidies for the Eden-Bomaderry and Lismore-Tweed Heads routes recently expired, these have been reinstated.

The mob opposite had 12 years to do more so that regional communities could access affordable and frequent public transport, but they did not. Instead, they privatised the buses. It was on their watch that extensive privatisation of our bus services took place in Sydney, on the northern beaches and right across the State. That privatisation, which was highlighted by the Bus Industry Taskforce, has led to a bus network rife with delays, cancellations, chronic understaffing, appalling working conditions and \$65 fares. It is that bus privatisation—that whole agenda—that has led to \$65 fares.

The Hon. Sarah Mitchell: We have had private bus routes for years.

Ms CATE FAEHRMANN: It has led to \$65 fares because the contract that was entered into by the previous Coalition Government expired. What has now happened? The Government has to subsidise the poor private companies because of the stupid contract that members opposite agreed to. Small government is amazing, isn't it? That is what we have come to expect, but Government members do not completely get away with it, either. The only time this Government acted was when the issue hit the media. The Government should have done something earlier, but of course it did not. That is what the Minns Government is all about: Once it hits the front pages, "Well, let's do something." I commend my amendment to the House.

The Hon. EMILY SUVAAL (17:55): I support the amendment moved by Ms Cate Faehrmann and agree with many of the things she said, although not all. When it comes to cutting transport in regional New South Wales, it might be of interest to members to note the former Government's record. It introduced a Moree to Walgett service in December 2019, only to cut it in September the following year. But wait, there's more: Cooma to Cabramurra, cut; Bigga to Goulburn, cut; Dubbo to Mudgee, cut; Tambar Springs to Tamworth, cut; Trunkay Creek to Bathurst, cut; Tamworth and Newcastle, cut; Young and Cootamundra, cut; Foster and Coffs Harbour, cut—the list goes on.

Then there was the 16 Regional Cities Services Improvement Program that the former Government launched. It promised a massive expansion to bus services in 16 regional cities. The only problem was that it never set aside funding to deliver the promise in all 16 cities. Grafton, Port Macquarie, Tamworth, Armidale and Parkes all missed out on the promised huge expansion of services—more communities that were left in the lurch by the Liberals and Nationals. The Opposition has zero credibility when it comes to cuts to public transport in regional New South Wales. Members opposite had 12 years to build a proper public transport system that was fair, accessible and affordable across regional New South Wales. They left us with cut services, communities with no access, and funding agreements that were running out; and now they want to lecture us.

As a starting point to begin fixing their mess, the Labor Government established the Bus Industry Taskforce. The taskforce has made multiple recommendations to deliver better bus services and improve reliability and equity across the State. The taskforce calls for modern, fit-for-purpose bus contracts in the regions.

The taskforce noted that bus services in rural and regional New South Wales previously had not been given the same degree of attention as services in Sydney. The Government has announced in-principle support for all seven of the taskforce's initial recommendations. One of those recommendations is that Transport work to improve rural and regional bus contracting by engaging with the industry to develop a modern, fit-for-purpose contract model. This work will take time, but it is important that we get it right. The former Government had 12 years to improve regional bus services and failed. This Government will not repeat its mistakes.

The Hon. DAMIEN TUDEHOPE (17:58): That was an extraordinary contribution from the Hon. Emily Suvaal. The motion is appropriate because it highlights the manner in which this Government operates. The screen industry was promised funding to continue as a viable industry. It made a lot of noise because it was left out of the budget. All of a sudden, because of the noise that it made, the Treasurer was able to find the money for the screen industry. That is because the Hon. John Graham said, "All I do in this place is talk about this stuff, but the Treasurer won't even back me on this." So he made a lot of noise and got the screen industry backed in.

But Government members did not learn from that. They made a big announcement that they were going to deliver all this new housing at Rosehill racecourse. They love the headline but when we look at the detail, it is a dud. They are all talk. It is an absolute dud and those opposite know it. They did not do their homework before they made the announcement. Then there is the metro. They announced that it was going to open on 4 August but, again, they did not do their homework. Members opposite come in here day after day and tell us, "We have got to make sure that we do all safety things before we open it," so why on earth did they make such an announcement without doing that work first?

Another example is the direction to the New South Wales public service about working from home. Again, they did not do their homework beforehand to find out how people would be impacted by it. How many people who have bought homes are relying on a work-from-home policy? They do not know. They just make the announcement and then say, "Let's sort out the problems later." Finally, we come to the bus services. Again, they made the announcement of \$65 fares and all of a sudden there is a mass of complaints. "Oops! We haven't done the homework on this. There is a problem." As soon as someone makes some noise about it, and it becomes a headline, they react. That is the hallmark of the way that this Government operates. Members opposite are crazy for headlines but they never, ever do their homework about the impact on the communities that are affected by the announcement. Members should support this motion because it exposes the absolute inadequacy of this Government.

The Hon. SARAH MITCHELL (18:01): In reply: I thank members for their contributions. I disagree with most of what Ms Cate Faehrmann said, although I did agree with her when she said that this Government only does things when there is a headline.

Ms Cate Faehrmann: It lasted five seconds.

The Hon. SARAH MITCHELL: Five seconds is better than nothing, Cate. We can sing *Kumbaya*. The Leader of the Opposition is right: Negative headlines matter more to members opposite than the people who are actually affected when those decisions are made. The announcement about bus subsidies created so much concern and uncertainty for some of the most vulnerable people living on the South Coast and in the Tweed, but it was so unnecessary. I do not support the amendment moved by Ms Cate Faehrmann because it just makes it very clear that those opposite do not want the truth to be on the record.

I actually thought I was quite measured in the way that I wrote this motion. I was not trying to be inflammatory; it was factual. The subsidies were cut, and they were reinstated after public outcry. That is what the motion says, and it calls on the Government not to do it anymore. To start talking about privatisation and other issues takes away from the facts, which were that people in those communities experienced unnecessary distress and concern because of a Labor Government that does not care. If you do not live in metropolitan Sydney, it is not interested. We know that, and people in the country know it all too well. It is not good enough. The Opposition supports the motion as written. We will not be supporting the amendment, as I said, because it makes a mockery of trying to raise a legitimate issue. There is nothing in the motion that is not factual and it calls out members opposite for doing the wrong things by people in the regions. We stand by the motion as it is written and I urge members to support it.

The PRESIDENT: The Hon. Sarah Mitchell has moved a motion, to which Ms Cate Faehrmann has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes23
Noes12
Majority.....11

AYES

Boyd	Higginson (teller)	Murphy
Buckingham	Houssos	Nanva
Buttigieg	Hurst	Primrose
Cohn	Jackson	Roberts
D'Adam	Latham	Ruddick
Donnelly	Lawrence	Sharpe
Fahrman (teller)	Mookhey	Suvaal
Graham	Moriarty	

NOES

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

PAIRS

Kaine

Taylor

Amendment agreed to.

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

Motion as amended agreed to.**FIRST HOME BUYERS**

The Hon. EMILY SUVAAL (18:12): I move:

- (1) That this House notes that the current housing affordability crisis and the cost-of-living crisis are making it harder than ever for people, particularly young people, to buy their first home.
- (2) That this House recognises that it has been one year since the New South Wales Labor Government's implementation of the First Home Buyers Assistance Scheme, the most generous of its type in Australia.
- (3) That this House congratulates the New South Wales Labor Government for assisting over 33,000 first home buyers across New South Wales by reducing or waiving their stamp duty obligations when purchasing their first home, especially in Tweed Shire Council, where the number of first home buyers has jumped by 66.5 per cent since the scheme began on 1 July 2023.

People across the State are doing it tough right now. It is becoming increasingly difficult for families in New South Wales to make ends meet. The best thing that the Government can do to address cost-of-living pressures is to put downward pressure on inflation. The recent budget did exactly that by controlling spending, cutting waste and limiting new spending to only the must-haves. The Government is prioritising building homes for New South Wales to ensure that it continues to address the housing crisis for renters and for people wanting to enter the housing market. That is why I am pleased to update the House that July marked one year since the start of the Minns Labor Government's expanded First Home Buyers Assistance Scheme, which provides stamp duty support for people buying their first home.

Housing is the single biggest cost-of-living pressure facing people right now, and the First Home Buyers Assistance Scheme is helping tens of thousands of people to buy their first home. The savings give first home buyers an advantage when bidding against established investors and home owners. The Minns Government is giving more support to first home buyers than the former Liberal-Nationals Government did. That includes in many regional areas, like the Tweed on the Far North Coast. Tweed Shire Council is in the top 10 regional local government areas benefiting from the Government's program, with 328 first home buyers there having paid zero or discounted stamp duty in the past year. They have saved \$21,892 on average.

Under the previous scheme, only 197 first home buyers in the Tweed got into their first home. Under the Minns Government's expanded scheme, that figure has jumped to 328, representing a 66.5 per cent increase. First home buyers across New South Wales have saved, on average, \$20,479 on stamp duty. Over two-thirds have paid no stamp duty at all. That makes a material difference for people while they save for a deposit, and it helps them to get into their dream home sooner—or, indeed, get into a home full stop. The Minns Government's program is providing real cost-of-living support for people buying their first home and helping them deal with the single biggest cost-of-living pressure.

The First Home Buyers Assistance Scheme was expanded on 1 July 2023, increasing the threshold for a stamp duty exemption from \$650,000 to \$800,000 and lifting the stamp duty concession threshold from \$800,000 to \$1 million. New South Wales has the most generous first home buyer support scheme of any State or Territory. The expanded thresholds mean that more than 18,000 first home buyers received greater support than they would have under the previous Government. The increased support has helped first home buyers in the Tweed to reach their goal of home ownership sooner, while keeping more money in their pockets. The Minns Government will continue to deliver cost-of-living relief, including first home buyers assistance and much-needed housing for the people of the Tweed, the people of regional areas and the people of New South Wales.

The Hon. SCOTT FARLOW (18:17): Should we give first home buyers a leg up on the "ladder of opportunity", as one member of this House used to call it? Yes, we should. It is important that we do. Unfortunately, as we see all too often, this Government takes with one hand and gives with another. What did the Government take? It took the First Home Buyer Choice program that would allow people to choose whether they were to pay a smaller annual fee rather than up-front stamp duty on properties costing up to \$1.5 million. The motion before us is a "pat the Minns Government on the back" motion. It is a self-congratulatory motion.

The Hon. Emily Suvaal: Hear, hear!

The Hon. SCOTT FARLOW: The Hon. Emily Suvaal is very happy with that. The motions states that New South Wales has the most generous scheme in the country. That would be fine if it had the same housing market as the rest of the country. We do not have that in Sydney and have not for some time. Looking at the capital city median and the threshold at which no stamp duty is paid by first home buyers, New South Wales is actually at the back of the pack. The capital city median for a house in Sydney is \$1.66 million. The threshold at which no stamp duty is paid by a first home owner accounts for 48 per cent of that median price.

For comparison, Tasmania has a threshold of \$750,000, but the median price in Hobart is \$686,000. Queensland has an \$800,000 threshold, but the median house price in Brisbane is \$976,464. Even in Victoria, the threshold is \$650,000, but the median house price in Melbourne is just over \$1 million. That is 60 per cent of the median house price. Again, the Minns Government is short-changing first home buyers across New South Wales. Of course, the First Home Buyer Choice program was effectively linked to the previous median house price. It kicked in at about \$1.5 million, which, funnily enough, was a little bit higher than the median house price in Sydney when it was introduced.

Unfortunately, home ownership has become even more challenging for first home buyers across New South Wales. Opposition members want to see more people getting into their own home, and we want them to have a choice about what works for them. If they are getting their first step on the property ladder, it may actually make sense to pay a smaller annual fee rather than be hit with an up-front stamp duty. That is what the Coalition put forward when in government. With the windfall gains that the Government has received from property transactions, it is right to increase the threshold. We would have done so as well. But the Government is denying people choice, and that is why we oppose the motion.

Ms ABIGAIL BOYD (18:20): I contribute to debate on the motion as The Greens' Treasury spokesperson. I state at the outset that our patience is wearing thin with self-congratulatory motions. It appears tone-deaf for Government members to congratulate themselves when people across the State are doing it so tough on issues like the one the motion relates to. They should make policy decisions in order to better people's lives, not so they can move motions to congratulate themselves later. Nevertheless, let us look at the substance of the motion and what is, in The Greens' view and that of most clear-thinking economists, a wrongheaded idea of the value of first home owner grants and subsidies. First home owner grants do not improve housing affordability and never have.

Cash grants to first home buyers were first introduced by the Menzies Government in 1964. Several iterations followed at a Federal level under the Fraser Government, the Hawke Government and then finally the Howard Government. State and Territory governments have provided top-ups to the schemes over time under various models, including the current stamp duty exemptions. The basic premise of those schemes is that they lower the barrier or cost of entry into the housing market. Governments claim that the schemes increase the size of the group of people who are then able to become home owners. However, research has found that the schemes tend to accelerate the purchase of a home for those already planning to do so, rather than increasing the number of new entrants into the market.

Further, the schemes increase the purchasing power of first home buyers but tend to further inflate house prices in doing so. Demand-side policies that give more money for people to spend on housing end up increasing prices and may actually reduce the number of people able to buy a house and limit housing affordability. Finally, the research also suggests that the schemes tend to benefit existing home owners, who profit from increased property prices. That disadvantages first home owners, who are forced to pay more than they otherwise would

have. I am getting sick of saying this, but nothing will actually change to make houses more affordable if we do not address the structural reasons for the housing crisis. We must make a massive and urgent investment in our stock of public housing, and we must stop helping investors to outbid first home buyers through massive tax concessions.

To recap, the evidence is that first home owner schemes, like the one the Labor Government is now patting itself on the back for, increase the price of houses for those who were already going to buy one, do little to increase the pool of those able to buy their first house, and instead make housing less affordable in the long run. I congratulate the Labor Party on doing that. I move:

That the question be amended by omitting in paragraph (3) "That the House congratulates the New South Wales Labor Government for assisting" and inserting instead "That the House notes that the New South Wales Labor Government assisted".

If amended on that basis, The Greens would support the motion.

The Hon. PETER PRIMROSE (18:23): Like most members, I hope, I support this wonderful motion. I begin by noting the wonderful photo of the former Leader of the Government in this place, the Hon. Don Harwin, in this afternoon's Herald. Members will hear a lot more about the matter, but members of the same party now claim they are ready to form government and are telling members on this side of the House how we should be administering government.

It is very encouraging that there has been so much success in just the first 12 months of the Government's First Home Buyers Assistance Scheme, with 33,365 first home buyers receiving an exemption from or concession on their stamp duty. On average they saved \$20,479. That is all part of the current Government's determination to make the tough but necessary decisions to lift housing from the too-hard basket for many people. Members on this side know that it is a primary driver of the cost-of-living crisis, so we are backing every citizen who strives to own a home. We are also doing so much more to help those who want to rent a home or who require social housing.

The Minns Labor Government is giving more support to first home buyers than they received under the Liberal Party and The Nationals. Compared with their assistance program, Labor's first year has seen a 77 per cent increase in total stamp duty support, from \$385 million in 2022-23 to \$683 million in 2023-24, and a 43 per cent increase in the number of first home buyers receiving support, from 23,290 people in 2022-23 to 33,365 people in 2023-24. I remind the House that, when the Government introduced the reform back in 2023, members opposite made the point in debate that it would result in only a few people in a few suburbs getting help. Many of those places will not have Liberal Party councillors after the election.

The numbers from Revenue NSW are in, and it is very encouraging that communities across Western Sydney are big winners, with Blacktown and Parramatta local government areas amongst those with more than 1,000 first home buyers receiving the benefit of either an exemption from stamp duty or a concession on their stamp duty. That includes residents in constituencies held by the Liberal Party and The Nationals, like Winston Hills in Greater Western Sydney. We should be pleased that first home buyers across New South Wales are getting help from their Government. Consider that just 39 people in Castle Hill received assistance under the previous Government's policy in 2023. I am glad that it has now risen to 133 in 2023-24, which is a 241 per cent increase. I look forward to hearing the member for Castle Hill applauding the policy on behalf of those constituents.

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

The Hon. JACQUI MUNRO (20:00): I am astonished by the Government's insistence on praising a program that reduces choice and long-term stability for home buyers in this State. The repeal of the First Home Buyer Choice scheme was one of the worst decisions that this Government has made since it was elected. Its replacement program, the First Home Buyers Assistance Scheme, takes choice away from first home buyers. The idea of measuring its success by the number of people who have taken it up is ridiculous. Of course people are doing anything that they possibly can to reduce their cost of living and reduce the burden of the cost of housing. It is a no-brainer that people would take up the assistance offered.

The alternative scheme under the former Coalition Government was very clear—first home buyers could choose to pay a small annual fee instead of a lump sum, and that is what people chose to do. When they had a choice, they picked that option because it was a way to ensure that long-term financial stability was built into their budget. It was an easier way to finance the purchase of a home. The fact that the Government is instead propping up stamp duty, one of the worst and most inefficient taxes, with its First Home Buyers Assistance Scheme is truly ridiculous. I am astonished that those opposite would boast about it. In a submission to the NSW Productivity Commission, the Grattan Institute wrote:

NSW has one of Australia's least efficient tax systems, with each dollar of revenue raised costing the economy 30 cents.

The NSW Government should abolish stamp duties and replace them with a general property tax ...

That is exactly what the former Coalition Government was doing. The Grattan Institute further stated:

The economic gains from this reform would be large: shifting from stamp duties to a broad-based property tax could leave NSW between \$4.1 billion and \$5.2 billion a year better off, according to estimates based on the excess burden of taxes.

We know that stamp duties are inefficient. Reforming the land tax and conveyancing stamp duty arrangements, along with proposed changes to the taxation of rental housing and rent assistance, could go some way to truly reforming and improving housing affordability in New South Wales. Of course, that affects young people more than any other cohort. The New South Wales Government's submission to the Federal inquiry into housing affordability noted:

Stamp duty imposes costs on people at all stages of life ... Growing families that desire to be closer to schools may face significant costs.

The Government has decided to champion a bad policy. It should restore the First Home Buyer Choice scheme.

The Hon. MARK BUTTIGIEG (20:04): I thank my colleague the Hon. Emily Suvaal for bringing this excellent motion to the House. I point out that the Central Coast is a big winner under the First Home Buyers Assistance Scheme. That is important to me as the Government spokesperson for the electorate of Terrigal. I inform the House that 1,328 first home buyers on the Central Coast received a total of \$29.5 million in stamp duty relief in the past 12 months under Labor's First Home Buyers Assistance Scheme.

The Central Coast has the largest number of first home buyers receiving assistance of any local government area outside of Sydney and the second most recipients of any LGA in New South Wales, behind that of Cumberland City Council. The average first home buyer saved \$22,250 on stamp duty, which is 9 per cent higher than the State average saving of \$20,479. Gosford was the suburb with the most recipients, with 394 families receiving support; Wyong came in second, with 301 families. Ranked by local government area, Cumberland had the most recipients, followed by Blacktown and then Parramatta. The Central Coast came in fourth, with 1,324 first home buyers, each with an average saving of \$22,250.

I finish by saying this: There is nothing sadder than seeing Opposition members come into this House and double-down on the failed policies that they took to the last election. They were beaten by Government members proffering policies just like the First Home Buyers Assistance Scheme, and we implemented it within our first 12 months in government. The scheme is working, as evidenced by the high take-up. But members opposite continue to focus on the same problems and regurgitate the same policies that got them unelected.

My advice to those opposite is to go back to the drawing board, do some policy work and get with the program of being in opposition. Try to be competitive and hold Government members to account, instead of telling us the same old thing every week about what a great policy this and that was. Clearly, in the marketplace of the electorate, those policies did not work. They did not resonate, and that is why Coalition members are sitting on the opposite side of the House. Labor members will continue to implement the policies that we took to the election and make good on our promise to the people of New South Wales.

The Hon. CHRIS RATH (20:06): There are many reasons that parties did well or not so well at the last election, but the First Home Buyer Choice program was not why Coalition members are now sitting on this side of the Chamber. It was a very popular program because it gave people a choice between stamp duty and an annual land tax. They chose the First Home Buyer Choice program; they chose the land tax. If that option was so unbelievably unpopular then nobody would have taken it up, but the Government's data shows that it was incredibly popular and there was huge take-up. When people are given a choice, they do not choose stamp duty. I move:

That the question be amended by omitting paragraphs (2) and (3) and inserting instead:

(2) That this House calls on the Government to restore the First Home Buyer Choice program.

Every single tax review—whether commissioned by Labor or the Coalition, at the State or Federal level—has said that stamp duty is one of the most inefficient taxes in the Federation and needs to be phased out. Opposition members had the imagination and the courage to come up with a plan to start that process by allowing people to choose between a stamp duty and an annual land tax. Former Premier Dominic Perrottet channelled the great Paul Keating in his valedictory speech when he said that political parties need some imagination. Where is the Government's imagination? All it has done is fiddled with the thresholds. There is no reform.

Cutting taxes is great. I am in favour of lifting thresholds and reducing tax burden on any group. But tax reform is even better. The Government is not doing tax reform. Its policy is just lazy, banal and boring. It is not economic reform. It is unbelievably dreary. The Government should come up with better policies. It should try to phase out stamp duty like the Coalition did. We had that imagination; the Government clearly does not. It has the

revenue from the last two budgets to increase the threshold to \$1 million, like it has already done, and have the first home buyer choice program. The Government can have both. That is the Coalition's policy. The Government has been blessed with a revenue rainbow. Its budget woes are not because of the GST; they are because of all of the outlays for trade union bosses with their hands on the levers of the coffers. The Government needs to do a better job and come up with more imaginative policies. This one is pathetic and lazy.

The Hon. STEPHEN LAWRENCE (20:10): I support the motion and the Government's stamp duty first home owner buyer exemption scheme.

The Hon. Jacqui Munro: What is it?

The Hon. STEPHEN LAWRENCE: That was a bit wordy but I think members get the idea. It came into force on 1 July last year. I was at home in my duty electorate of Dubbo when the Premier came to visit and announced the scheme. As part of that announcement we met with a young couple in Dubbo named Arthur and Selena. They had moved to Dubbo a year or two before and were about to take advantage of the first home owner stamp duty exemption scheme. We sat down with them and learned a bit about them. Their story was that Selena was working at that time as a mental health nurse at the hospital, and Arthur had also secured employment in Dubbo. They are a young couple in their twenties. They had been renting in Western Sydney and could not afford to buy in Sydney, so they moved to Dubbo to pursue a dream of home ownership.

Only with the full exemption coming into force were they able to start to look for a home that they wanted and could realistically afford. We made the announcement with them, in their front yard, and they did a really good job of explaining the benefit of the scheme. That scheme has gone on to have a huge effect in Dubbo. In fact, 248 first home buyers have benefitted from the increase in the exemption in Dubbo, with an average saving of \$18,000. Moving to the statewide picture, more than 33,000 first home buyers across New South Wales have received substantial support towards buying their first home, with an average saving of over \$20,000. In fact, two-thirds have paid no stamp duty at all.

That is not all the Government is doing to deal with the housing crisis. We are also making large and strategic investments in essential worker accommodation, including \$200 million statewide in health worker accommodation. We also have ended eviction without cause. We have heard some criticisms of that scheme but, in reality, the figures speak for themselves. Benefits of \$18,000 and \$20,000 are real and tangible amounts of money that make a massive impact on the household budget at a time when people are accruing their greatest expense—that is, a big mortgage and the huge repayments that flow from that. This is real cost-of-living assistance for people. I commend the motion.

The Hon. DAMIEN TUDEHOPE (20:13): Others have spoken about how tiresome it is to hear members in this place move self-congratulatory motions about appalling policy and then seek to justify that appalling policy. One of the things that struck me is that the Hon. Emily Suvaal, the mover of the motion, suggested that it was a cost-of-living measure delivered by the Government. She identified first home purchasers as benefitting from that cost-of-living measure but then went on to suggest that it was part of a contribution to driving down inflation. Can we really accept that this is part of the Government's approach to driving down inflation? It has rivers of gold flowing in from stamp duty revenue. It has lost control of the wages budget. The Governor of the Reserve Bank of Australia is saying, ad nauseam, that if governments, including State governments, do not drive down spending, then they are the great contributors to inflation. Every person with a mortgage in this State—the very first home buyers that the Hon. Emily Suvaal seeks to benefit—is now paying increased mortgage repayments because of the policies of this Government.

The member cannot say how great the Government is because it has a first home purchaser policy, in circumstances where there is no imagination and where it abolished the best stamp duty reform this State has ever had. As the Hon. Chris Rath rightly pointed out, the motion demonstrates that the Government has no vision for the people of this State. Yet Government members congratulate themselves on the delivery of this policy. I ask the Hon. Emily Suvaal this, which she might respond to: Does she really think that a person who purchases in Leppington in Sydney, who buys a property for \$1 million or more, was so rich that they did not qualify? That person now has to pay \$39,000 stamp duty, whereas under the first home buyer choice scheme they would have had a choice to pay nothing at that time and sign up for a land tax. According to the member, we should congratulate the Government because it has imposed stamp duty on a person who buys a million-dollar house in Leppington. That is lower than the median price of a house in Leppington. I say to the people of Leppington who want to buy a house—not the people of Tweed—that they should vote for the Coalition because under us they get a better deal.

The Hon. EMILY SUVAAL (20:16): In reply: I thank all honourable members for their contributions to the debate. In response to the Hon. Scott Farlow, we know the housing situation in New South Wales is not the same as in the rest of the country. Indeed, I commend the housing Minister for calling out the housing crisis in

New South Wales for what it is and acknowledging that we will need to do as much as we can, taking many different approaches, to address the abject state of neglect, particularly in our social housing sector. More people have moved into homes under the Government's scheme.

I thank Ms Abigail Boyd for her contribution and her amendment. The Government agrees that people across the State are doing it tough. We could not agree more. The motion before the House is a factual motion, which outlines just one of the many steps the Government is taking to support people in New South Wales. I acknowledge the contribution from the Hon. Peter Primrose, my colleague and the Government spokesperson for Castle Hill. I acknowledge the Hon. Jacqui Munro and reiterate that our program is not a forever tax. It has allowed more first home buyers into homes. Thousands of additional first home buyers are saving up to \$30,000 thanks to the Government's expanded scheme.

I thank the Hon. Mark Buttigieg, the Government spokesperson for Terrigal, for flying the flag for the Central Coast in this place. I thank the Hon. Chris Rath. The Government will not support his amendment and wild defence of the Coalition's previous policies that got it booted out of government. I am not sure what rainbow the honourable member was referring to, but we did not inherit sunshine and lollipops. I acknowledge the Hon. Stephen Lawrence for his beautiful story about essential workers in the regions who have benefited from this package. It is important that we personalise this issue and understand the real impact it is having for workers, such as the mental health nurse whom the Hon. Stephen Lawrence mentioned.

I thank the Hon. Damien Tudehope for acknowledging the self high five, although I am not sure what rivers of gold he was referring to. The Government will not support a forever tax, unfortunately. In closing, it would be remiss of me not to mention the results of Wagga Wagga. It is in the top five regional towns for first home buyers that we saw in this scheme. Three hundred and nine first home buyers received an average saving of \$19,000. It also ranks in the top local government areas for first home buyers. The average savings that people received under the Government's scheme was much more than the savings of those opposite. I commend the motion as amended to the House.

The PRESIDENT: The Hon. Emily Suvaal has moved a motion, to which Ms Abigail Boyd and the Hon. Chris Rath have moved amendments. The question is that the amendment of the Hon. Chris Rath be agreed to.

The House divided.

Ayes16
Noes18
Majority.....2

AYES

Carter
Fang (teller)
Farlow
Farraway
Latham
MacDonald

Maclaren-Jones
Martin
Merton
Mitchell
Munro

Rath (teller)
Roberts
Ruddick
Tudehope
Ward

NOES

Boyd
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Hurst
Jackson
Lawrence
Mookhey

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

PAIRS

Taylor

Kaine

Amendment of the Hon. Chris Rath negatived.

The PRESIDENT: The question is that the amendment of Ms Abigail Boyd be agreed to.

Amendment of Ms Abigail Boyd agreed to.

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

Leave granted.

The House divided.

Ayes20
Noes14
Majority.....6

AYES

Boyd
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann
Graham

Higginson
Hurst
Jackson
Latham
Lawrence
Mookhey
Moriarty

Murphy (teller)
Nanva (teller)
Primrose
Roberts
Sharpe
Suvaal

NOES

Carter
Fang (teller)
Farlow
Farraway
MacDonald

Maclaren-Jones
Martin
Merton
Mitchell
Munro

Rath (teller)
Ruddick
Tudehope
Ward

PAIRS

Kaine

Taylor

Motion as amended agreed to.

Committees

JOINT SELECT COMMITTEE ON THE GREATER SYDNEY PARKLANDS TRUST

Establishment and Membership

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

MR PRESIDENT

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

- (1) In accordance with section 60 of the Greater Sydney Parklands Trust Act 2022, a joint select committee, to be known as the Joint Select Committee on the Greater Sydney Parklands Trust, be established.
- (2) The joint select committee is to review the Act to determine whether—
 - (a) the policy objectives of the Act remain valid; and
 - (b) the terms of the Act remain appropriate for securing those objectives.
- (3) The review is to be undertaken as soon as practicable after the period of two years from the commencement of this Act.
- (4) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of two years.
- (5) The committee is to consist of eight members, as follows:
 - (a) five Legislative Assembly members; and
 - (b) three Legislative Council members.
- (6) That the chair and deputy chair of the committee be elected at the first meeting.
- (7) Mr Alex Greenwich, Dr David Saliba, Mrs Sally Quinnell, Ms Donna Davis and Mr Mark Hodges be appointed to serve on such committee as members of the Legislative Assembly.
- (8) The committee have leave to make visits of inspection within the State of New South Wales, and other States and Territories of Australia.
- (9) The committee will have leave to sit during the sitting or any adjournment of the House.

- (10) That at any meeting of the committee four members shall constitute a quorum, but the committee must meet as a joint committee at all times.
- (11) A message be sent acquainting the Legislative Council of the resolution and requesting that it appoint three of its members to serve on the committee.

Legislative Assembly
14 August 2024

GREG PIPER
Speaker

The Hon. PENNY SHARPE: I move:

That consideration of the Legislative Assembly's message stand as an order of the day for the next sitting day.

Motion agreed to.

Motions

LUNA PARK GHOST TRAIN FIRE

The Hon. MARK LATHAM (20:31): I move:

That this House:

- (a) calls on the ABC to apologise for the way in which its 2021 documentary *EXPOSED: The Ghost Train Fire* tried to hold former Premier Neville Wran responsible for the murder of seven people at Luna Park in 1979;
- (b) notes that former police Minister David Elliott instigated a re-investigation of the fire and three years later there are no findings against Neville Wran as the suggestion of a criminal association with Abe Saffron was always absurd; and
- (c) calls for the ABC apology to be made directly to the Wran family and the program be withdrawn from circulation.

Sometimes in politics the important things are those that are never said—a big television show, an exposé, a big investment in so-called investigative journalism—and years later you wonder, "Well, whatever happened to that? What happened to those very serious allegations?" So it is with the 2021 ABC documentary *EXPOSED: The Ghost Train Fire*. It is important to understand what has happened and to support this motion because Neville Wran, so badly disparaged and attacked in the show, cannot defend himself from the grave. He was a distinguished member of this place—a Leader of the Opposition, no less—who went on to become Leader of the Opposition in the other place and then Premier of New South Wales.

Unbelievably, without evidence, the show peddled the lie that Neville Wran was involved in a conspiracy with Abe Saffron to murder people by organising to set the ghost train on fire and to see people die over at Luna Park. The evidence for that in the show was non-existent. At the end of it, the journalist from the ABC did something very cruel when she said to the grieving families, "We've investigated this and we can see that the conspiracy for it goes to the very top of the New South Wales Government." She gave those families false hope in the belief that she had identified the culprit. It was always a lie, it was always an absurdity and it was always ridiculous.

I remember speaking to former police Minister David Elliott, who publicly said he was asking the New South Wales police to reinvestigate the causes and culprits for the ghost train fire at Luna Park all those years ago. I asked him why he was doing that and he said that he hated Neville Wran. I suppose, as a New South Wales Liberal, he would; Wran cleaned them up at four elections, two of them Wran slides, and it seemed that at every election a Liberal leader lost his seat, if only for 10 years. I do not hold that against David Elliott, but the police Minister asked the New South Wales police to reinvestigate the matter and, of course, they came up with nothing. There were no public reports and no further slurs or allegations against Neville Wran. We only have on the record this absurd ABC program vilifying and defaming a dead man.

It is time for the ABC to apologise directly to the Wran family and for the program to be withdrawn from circulation. The slur should not be allowed to stand. This should be the closing chapter of a 50-year war by the ABC on Neville Wran. It got it wrong in the so-called rugby league exposé back in the day: the silly allegation that he was trying to get Kevin Humphreys off the hook for embezzling funds at the Balmain Leagues Club. No such thing ever happened. Neville Wran was cleared by the Street royal commission. Further allegations were made but none were proven. The idea that Neville Wran was involved with Abe Saffron in any shape or form to murder people is just absurd and sad and ridiculous, and it needs to be condemned. With the passage of three years since the documentary first aired, it is time to close the chapter, end the ABC's war on Neville Wran and apologise to his family.

I declare my interest: I liked Neville Wran. I met him as a young man and I knew his staff better than I knew him. I liked him for the reason that he had the wonderful skill of working the f-word into every sentence, and sometimes into every second word. I thought, "How refreshing! He talks like us in Green Valley." He was very down to earth but a very effective Premier. The idea that Neville Wran—a lawyer, a QC, a learned legal figure and a giant of this Parliament—was involved in the murder of people on the ghost train in collaboration

with Abe Saffron. You only have to state the allegations to know the absurdity. The program proved nothing. The police investigation has come up with nothing. David Elliot pushed the matter but came up with nothing. It is time for the House to close the chapter on this sad ABC sully of a good man's name.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:35): I strongly support the motion moved by the Hon. Mark Latham. When people do the wrong thing they have to make it right. It is very clear that the good name of a very good man was absolutely traduced without a skerrick of evidence. It has been thoroughly investigated. As we know, it is very easy for people to throw mud in this place. Members have to be able to stand by what they say. Journalists need to be held to the same standard, as we would expect.

Many may recall the three-part documentary *EXPOSED: The Ghost Train Fire*, which aired in 2021. At the time it became the subject of examination and controversy for the allegations it aired and portrayed as fact involving former Premier Wran. The allegations against Neville Wran were misleading and misrepresented, and they were found to be so. The allegations of connections between Neville Wran and organised crime figure Abe Saffron were wrong and there is no evidence to support them. That was called out by former ABC chairman and managing director David Hill, former New South Wales Premiers Bob Carr and Barry Unsworth and former Prime Minister Malcolm Turnbull, who all said it was unfair and uncorroborated and that it stretched credulity.

Rodney Tiffen and Chris Masters conducted a review of the program for the ABC. They found that the allegations concerning Wran were speculation and were unable to be backed up. The review was critical of the way in which graphics were used in the program, which suggested that there were more connections than have ever been proven. Overall the allegations of political corruption were found to be vague, anonymous and unhelpful. It has been extremely distressing to Neville Wran's family. It has also been extremely distressing to the families of the victims who were murdered in that horrific event because it suggested that an outcome was around the corner and that somehow the former Premier was involved with it. That, again, is completely and utterly incorrect.

ABC *Media Watch* host Paul Barry said at the time that he was dumbfounded by the organisation's response and that it was indefensible. In some respects it was a great program, Barry concluded, but in others it went too far. We need to make it right. It should not be available online. It needs to be corrected and there needs to be an apology to the family. What happened was wrong and it is time it was righted by the ABC. It cannot hide behind false allegations, suggest them as fact and allow them to continue to circulate in public.

The Hon. SUSAN CARTER (20:38): On behalf of the Coalition, I support the motion. We have the great fortune to live in a democratic society underpinned by the rule of law, where we are able to exercise a number of rights, including the right to freedom of speech and freedom of the press. Those rights continue to exist on the understanding that they will be used responsibly and with recognition of how the exercise of our rights impacts on others with whom we live as part of a mutually respectful society. My right to freedom of movement does not mean that I can walk down Martin Place and everyone has the obligation to move out of my way. That is a claim of absolute privilege that has no place in our free society. Similarly, my right to freedom of speech, even though it is highly protected in this place, needs to be exercised with respect to the rights of others. In the oft repeated aphorism, we have the right to speak our mind, but not to call out, "Fire!", in a crowded theatre. The same limits apply to freedom of the press.

It is sometimes said by journalists that their role is "speaking truth to power", but in this case, as in too many others, the emphasis has been less on speaking truth than on trying to make a point to power. It is the role of a journalist to uncover the truth, especially in possible cases of corrupt or criminal conduct. However, it is equally the role of a journalist to report the truth, even when that truth is not the exciting headline that they had hoped for. The ABC is entirely right to raise issues of public importance and investigate matters of concern. However, it needs to do that responsibly and thoroughly, and follow its investigations through to the end. When the ABC conducts interviews and reports theories about events—such as the tragic fire in the ghost train at Luna Park—and when its own reporting triggers a re-investigation that finds no suggestion of criminal activities or associations, as a responsible rights-bearer, it needs to report that as prominently as any allegations and issue apologies for any harm that has been caused. The ABC has not done that, and it should be corrected immediately.

To allow disproven allegations to continue to circulate without correction is irresponsible and is an abuse of the rights that protect us all. That is the truth that the ABC's institutional power needs to recognise. An apology, as well as being the responsible course of action, is also the prudent course of action. If the ABC or any other news outlet raises sensational allegations often enough without responsibly following through and reporting the facts and the final outcome, like the boy who cried wolf once too often, they will stop being believed. If the ABC does not exercise its right to free speech responsibly, the public will lose confidence in its accuracy and veracity. What is the point of a national broadcaster that nobody believes?

The Hon. CAMERON MURPHY (20:41): I speak in support of the motion and commend the Hon. Mark Latham for bringing it to the House. Neville Wran was a lifelong friend of my father and, in his later years, was a friend of mine. He was a man of absolute integrity and honesty. It is obvious that the ABC was wrong when it launched an attack on Neville Wran, alleged connections between Abe Saffron and the former Premier and implied his involvement in the tragic Luna Park ghost train fire. Milton Cockburn's new book, *The Assassination of Neville Wran*, systematically debunks the wild claims made in the documentary, calling them no more than unsubstantiated gossip. An independent review conducted by the ABC in 2021 was also critical of the unsupported allegations made about Wran. They are in good company. Many public figures, including former Prime Minister Malcolm Turnbull, have condemned the claims that the ABC made about Wran, calling them unfair, uncorroborated and stretching credulity.

It is clear that the program used dubious and discredited sources for the basis of its narrative. In many places, the evidence was non-existent. Fabricated graphics, recreations and storyboards were used to spread innuendo and imply false conclusions. Wran and others were quite plainly defamed by the ABC. Unfortunately, our defamation laws do not allow the relatives of people who have passed away to sue on their behalf. There is no redress in the legal system to refute those claims and restore reputations that have been damaged. Cockburn identifies the story as part of a wider problem in journalism, calling it a "peculiarly Sydney characteristic." He said:

Sydney, seemingly more than any other Australian city, floats on malicious rumours and unsubstantiated gossip. This is a lesson that should quickly be learnt by journalists presented with allegations about public figures.

I am concerned that for some in the Australian media, it is more important to be salacious than to be certain. Allegations made by dubious, unnamed or non-credible sources should not be published as mere fact, especially when there is credible evidence to the contrary. It is not the high-quality investigative journalism that we expect from our public broadcaster. It is instead an attempt to create sensation by impugning the reputation of someone who is not there to defend themselves. It is cowardly, and we can do better. The ABC should acknowledge that it got it wrong and apologise for the harm caused to both the Wran family and the victims of the fire who they maligned. I commend the motion to the House.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (20:44): I am an ABC fan; I am also a fan of Neville Wran. It was a terrible incident, and the ABC should apologise. Why wouldn't you be a Neville Wran fan? He was one of the State's most successful Premiers. He spent 10 years in the job. All members know how tough that is. He had four big election wins and stood for integrity, including integrity in the electoral system. The documentary was a 15-month production that cost \$2 million, and it ended up with this result. The presenter's words were:

Essentially, the allegation is that the reason why it didn't go any further was because of corruption further up. There are a lot of powerful people in powerful places protecting Abe. So, it went right to the top we are told.

The claim was that it went "right to the top", after repeatedly referring to Wran in the episode. That claim was then denied. Managing director David Anderson told a Senate estimates hearing that "this program in no way suggested that Neville Wran had any involvement in or knowledge of the fire at Luna Park. It did not say that Wran was involved." Those claims do not stand up to the direct quotes from the journalist. The Leader of the Government recapped the editorial review that failed to substantiate the claims. The ABC stood by the program; there was no apology. Following a request from the Coroner, on 10 April 2021 the former Government initiated Strike Force Sedgeman, which was stood up by the NSW Police Force.

David Elliott might have backed the inquiry because he hated Neville Wran, but the then Opposition also supported it. I spoke in the Chamber when that was debated. It was also supported by the Premier's former staff, because they believed it would clear Wran's name. There is nothing to hide from an inquiry. However, it has been reported that, according to senior police sources, the strike force found no evidence to dispute the findings of the previous inquiries by the police and the National Crime Authority or to dispute the findings of the original coronial inquiry in 1979. It has further been reported that the report apparently notes that the ABC refused to hand over material. If those things are true, the ABC should apologise and withdraw the program from circulation. Anyone who cares about the ABC, anyone who cares about Neville Wran and anyone who cares about the truth should demand that apology.

The Hon. MARK LATHAM (20:47): In reply: I thank members for their support, which seems to be right across the Chamber. In particular I thank the Leader of the Government, the Deputy Leader of the Government and the Hon. Susan Carter for their fine speeches. I am particularly pleased that the Hon. Cameron Murphy spoke, because his father was driven to an early grave by false allegations, many of which came from the same forces that mobilised against Neville Wran. Neville Wran lasted a lot longer, but even when he had passed, the ABC was still mustering its forces. The Hon. John Graham mentioned the extraordinary expenditure and time

taken to come up with a program that was bogus. The allegations have a cost, as the Murphy family knows all too tragically and the Wran family still feels today

The record needs to be corrected, the apology needs to be made and the show needs to be withdrawn. The ABC needs to learn a grave lesson about the need for fairness and accuracy in journalism and not to wage a 50-year war against someone now long dead. These are important lessons in journalism and broadcasting. The House is united on the motion, which I am glad to see. We should support it with a strong sense of remorse and sorrow but also resolve to ensure that this sort of thing does not happen again.

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

Motion agreed to.

ARTIFICIAL INTELLIGENCE

The Hon. JACQUI MUNRO (20:50): I move:

That this House calls on the Minister for Customer Service and Digital Government and the Government to create the role of the NSW Artificial Intelligence [AI] Commissioner.

I recently asked a good friend of mine who works for an artificial intelligence-based company that members have almost certainly heard of what questions politicians should be asking about the impending proliferation of AI. I thought he might talk about cybersecurity, data management or workplace productivity. Instead, almost immediately, he said that we should be designing a robust social welfare policy. His take was that work as we know it would essentially cease to exist, leading to a total rethinking of social and economic structures. It is big picture stuff. It is complex, it is unknown, and it is coming. But there is a huge gap between the people who know the most about AI capabilities and risks and those who do not know about it at all.

When I have brought up AI with people, because I am very cool, I sometimes get asked, "Are you for it or against it?" I have to say that we are well past that question. It is now a matter of how or how not to use AI. Artificial intelligence is a tool. It is a capability. It is not an industry or a sector. It will permeate all facets of our lives. In fact, artificial intelligence is already such an embedded feature of our lives that we often do not even realise where it is working. ChatGPT, which is just 18 months old, has revolutionised the world's thinking about AI and its capabilities as an almost sentient presence, but AI has for years underpinned tools like Google Maps and supermarket online chatbots as well as government services like the NSW Government Legislation Twin, which enhances public access to legislation through improved search and by generating automated summaries of gazettes. Revenue NSW has been using AI since 2018 to identify and support vulnerable people who may be unable to pay their fines by providing alternative resolutions to fines or imprisonment.

The use of AI to generate individualised medicine, to make our energy grids more efficient, or to strengthen our democracy by engaging disenfranchised voters and finding bridging views across a population are among the massive benefits that we can capture, but there are also big concerns. Professor Melanie Mitchell notes the limitations that AI systems currently have, including things like being unable to transfer knowledge from one domain to another or to provide quality explanation of decision-making processes. These lead to a range of risks like questions of bias, fairness, reproducibility, security vulnerabilities and legal liability. People are worried about losing their jobs, their intellectual property and their privacy. We are on the very edge of having AI tools that can literally set up an online retail store, from emailing suppliers to setting up a bank account and responding to disgruntled customers who have received the wrong colour product.

There are also serious considerations about the impact of generative AI on our democracy, with deepfakes soon to reach undetectably realistic quality and online bots being used to drive polarisation and extremism through misinformation and disinformation. They are technologies that can hack our human psychology for extremely nefarious and destructive purposes. Yet we are far past the point of eliminating artificial intelligence from our lives, and containment presents a set of challenges that must be considered and addressed in a serious, expert and sustained way. That is why New South Wales needs a dedicated artificial intelligence commissioner. It is not good enough that the Labor Government suggests another bureaucratic position to get lost amongst the matrix of roles that already exist. We need a public-facing leader dedicated to the task.

It is not enough to have an Information Commissioner and Privacy Commissioner. We need a specialist entrusted to undertake research, gather industry together and lead education for the public, businesses and the public service. The Labor Government has already cut the role of the Chief Data Scientist, an incredibly impactful position that led to the creation of the world-leading ethical framework for the use of AI, which was used as a template at a Federal level and even internationally. As legislators, we are at the forefront of responsibility when it comes to harnessing, exploring and protecting against artificial intelligence technology. As legislators, we are at the bleeding edge of a technological shift that is possibly unparalleled in human history. It is exciting and slightly terrifying.

Mustafa Suleyman, one of the founders of AI company DeepMind, knows what he is talking about and suggests four intrinsic characteristics of AI that make containment such a big challenge: hugely asymmetric impact, hyper-fast evolution, omni-use and increasing autonomy. The technology is stretching the limits of human capability and is quickly overtaking it. Australians are at particular risk of being overcome by what Mustafa Suleyman calls "the coming wave". Australians are some of the most sceptical and hesitant about adopting AI technology. The people of New South Wales deserve an AI commissioner. We need an AI commissioner to help equip us for the uncertainty that lies ahead.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (20:54): I commend the Hon. Jacqui Munro for bringing the motion to the Chamber and the work of Portfolio Committee No. 1 - Premier and Finance. The Government will oppose the motion. Firstly, it is not in line with the work the Government is currently doing in the field of artificial intelligence [AI]. Secondly, the important report from the portfolio committee addressing artificial intelligence in New South Wales has only just been received. A commissioner was not a recommendation of the committee, but I commend the member for bringing the attention of the House to the matter and raising it in debate. These are serious issues that we should be debating in New South Wales.

One thing that impacted me in opposition was a discussion about the impact of artificial intelligence on the creative industries. An expert from the United Kingdom spoke at the forum and said, "There will be big impacts. Don't worry about the music or the pictures. You're not safe in the short-term future if you're a potter firing pottery. That is also going to be impacted." I do not think it is front of mind for citizens of New South Wales that the impacts might be so broad. I outline a couple of points about the Government's approach to AI. The key frameworks are the NSW AI Ethics Policy, the SWAI Assessment Framework and the NSW Artificial Intelligence Strategy, which outline the clear requirements for organisations. The Department of Customer Service leads this area for the Government. It has been updating the frameworks, particularly to take into account generative AI. We are working closely with Federal and State colleagues on the use of AI through the Digital Data Ministers' Meeting.

I place on record that the independent advisory function of the AI Review Committee is currently being reanimated, with eight appointments made on 17 May and active recruitment underway at the moment. The report following the 12-month investigation by the portfolio committee has just been received. I particularly thank the chair of the committee, the Hon. Jeremy Buckingham. The Government would like to take some time to examine the report and respond to it properly because it examines serious issues. In opposition it is an easy answer for members to say that we want a commissioner in charge, and it is a reason why the Government is hesitant to back the idea. The Government has actively been opposing that in some other areas as well. I do not undermine the significance of these issues, but we have to look for detailed, complex solutions to a very complex situation that is coming at us very fast.

Ms CATE FAEHRMANN (20:58): On behalf of the Greens, I support the motion brought forward by the Hon. Jacqui Munro. As the member has said, artificial intelligence [AI] is already transforming a hell of a lot of aspects of our lives, from health care, education and transport to ways to tackle the climate crisis. We know that it offers enormous potential to solve some of our most pressing challenges, but there are also significant risks if it is left unchecked. Those risks include the impact on work and job functions, privacy and cybersecurity threats, the potential for bias, and the challenges of accountability, transparency and misinformation. We have heard a lot about the potential dangers.

I acknowledge the recent Portfolio Committee No. 1 - Premier and Finance inquiry into artificial intelligence in New South Wales, which recommended that the Government appoint a chief AI officer to maximise the responsible use of artificial intelligence in a rapidly changing technology landscape. Most stakeholders involved in that inquiry viewed the current laws and regulatory framework as providing a solid base; however, there was broad recognition that some reform was necessary. Many submissions stressed the need for better regulation of AI. For example, Lorraine Finlay, the Australian Human Rights Commissioner, stressed that it should not be left to technology companies like Google to decide what is misinformation and disinformation.

Other stakeholders specifically called for an AI commissioner, similar to the Information Commissioner and the Privacy Commissioner, empowered to oversee, regulate and investigate issues that arise from artificial intelligence. For example, the NSW Bar Association referred to a 2021 report by the Australian Human Rights Commission that recommended the creation of an AI safety commissioner to support regulators, policymakers, governments and businesses. Professor Ian Oppermann of the University of Technology Sydney also spoke about the need for a general upskilling of capability within government, given that AI is being used everywhere in government.

We need a tight regulatory framework around AI to ensure that, as we embrace its possibilities, we do so with a strong ethical foundation. An AI commissioner should have integrity, be trustworthy, and maintain a strong relationship with the Government and with this House. I have not been given a good reason as to why The Greens would not support such a move, given the huge ramifications of artificial intelligence for every aspect of our society and, frankly, just how unprepared we are. Accordingly, The Greens wholeheartedly support the motion.

The Hon. CAMERON MURPHY (21:01): I had not planned speak on the motion, but I feel compelled to do so. At times I feel like I am in the twilight zone. I commend the mover of the motion for her deep and abiding interest in artificial intelligence [AI]. We served together for a year on the committee as we examined all aspects of artificial intelligence. Every member of the committee learnt an enormous amount about the opportunities and challenges we face in the rollout of AI and how we respond to it. However, the committee considered all of that and made appropriate recommendations informed by the underlying factors. For example, in a paper on regulating emerging technologies, the NSW Productivity Commission stated:

Regulations that are based on particular technologies ... are bound to impede the benefits of dynamism and innovation as new technologies emerge. Instead, regulation should be outcome-focused and tech-neutral and focused on the objectives the regulation is designed to achieve.

These days it seems that whenever there is an issue, the Opposition's approach is to appoint an expensive commissioner—a new public servant with an office around them. I think to myself, "What's next? A commissioner for drones? A commissioner for quantum computing? That might be on the agenda for the next sitting week. What about the metaverse?"

All sorts of other things are difficult to come to grips with in terms of regulation, but that is the wrong approach. The committee report suggests that we need to investigate the way we regulate, promote and utilise AI, and it contains a number of specific, sensible and measured recommendations. The Government will consider those and respond in due course. One recommendation was to create an office of AI to ensure the State's service delivery is protected and enhanced through the responsible use of AI technology. Another was to appoint a chief AI officer, to be supported by chief AI officers in each department. That would deal with AI properly in everything that the Government does, rather than through an expensive new commissioner.

The Hon. MARK LATHAM (21:04): The obvious question is why can artificial intelligence not do the job of the AI commissioner? That would be an obvious cost saving, harnessing the technology for a clear purpose. I take the view that there are too many commissioners in New South Wales for everything. It is a cheap option to recommend a new commissioner.

The Hon. Mark Buttigieg: Don Harwin is looking for a new job.

The Hon. MARK LATHAM: Well, there is no doubt that in the Liberal Party headquarters, AI is now looming as a very good alternative for the nomination of local government candidates.

The Hon. John Graham: A safer bet.

The Hon. MARK LATHAM: A safer bet, more efficient and more likely to produce elected people on polling day. AI has all those applications, and the Liberal Party does not need a commissioner to know those things. Just have a look at the local government running sheet! Those points need to be taken on board. We do not necessarily need a new commissioner; we need government policy. That policy should do two important things: First, it should upgrade the capacity of government service agencies to use AI for sensible purposes; second, it should use the capacity of AI in the education system as a country like Singapore has. Singapore has looked at how to stream students within a school class. Obviously, within a class, students have differing abilities. As an international leader in school education attainment, Singapore has worked out that the very best students can use AI quite well to run their own curriculum and agenda.

The Masters review recommended an untimed syllabus. I was sceptical of that until I spoke to Singaporean experts, who said that that is effectively what they are doing. They are using AI to free up teaching resources for the weaker students in the class—there is direct instruction and teaching for those weaker students—and allowing the brilliant students to use AI in a sensible way for their own instruction, knowledge attainment and advancement. The education system in New South Wales lags behind in that capacity. I am surprised that we have not made better use of AI. Of course, there have been restructures and changes in personnel. However, education is an obvious area in which policymakers need to drive AI harder. We should be driving it on the service front. What is Service NSW doing in this area? Where is Victor Dominello when you need him? Perhaps Digital Dominello could be recalled to the fold to sort these things out. We do not need a new commissioner.

The Hon. John Graham: They need a new director of the Liberal Party.

The Hon. MARK LATHAM: A director of the Liberal Party? Anyone with the basic skill of lodging a nomination could be the director of the Liberal Party, as of today.

The Hon. John Graham: They can email it in.

The Hon. MARK LATHAM: Email it in? AI it in or do anything with it—just get it in. That is always the lesson. In politics, it is a cheap option to recommend a new bureaucrat when better alternatives are available if policymakers do their jobs.

The Hon. STEPHEN LAWRENCE (21:07): I also served on the Portfolio Committee No. 1 - Premier and Finance inquiry into artificial intelligence [AI] in New South Wales. The inquiry lasted for some 12 months—it is hard to believe that it was that long, but it was. I commend the mover of the motion, who also served on the committee. She was very engaged and raised lots of worthwhile amendments in the deliberative phase. Obviously, I do not support the substance of the motion in terms of the call for the appointment of an AI commissioner. That is not consistent with the findings of the inquiry. There was certainly no recommendation that such a commissioner be appointed.

A number of issues were raised in evidence. We heard evidence that the laws should be neutral with respect to technology, and I imagine that the appointment of such a commissioner would need to be statutory. That would go against the recommendations. Professor Ian Oppermann spent quite a lot of time giving very persuasive evidence and was helpful in assisting the committee to understand the issue of AI. I, like many members of the committee, went into the inquiry without a good understanding of AI, or the ways in which it is already such an active part of our economy, technology and society. But Ian Oppermann made the point in the evidence that, ultimately, capability needs to be increased across all parts of government, and that was another issue that flavoured the reason why there was not a recommendation to create a commissioner but rather a recommendation to appoint a New South Wales chief AI officer, supported by chief AI officers in government departments and agencies. The view was that that would help maximise the responsible use of AI.

In line with that, the committee also recommended that the Government extend partnerships with industry, academics, experts and professionals to ensure that New South Wales is at the forefront of trends that enhance and protect the State's interests as they relate to AI. As I said, I commend the mover of the motion, because AI is such an important area. The economic potential is huge. It cannot be stopped, but there are a whole lot of risks. The risks explored in the committee included algorithmic bias, privacy issues and huge intellectual property issues with the vacuuming up of protected intellectual property and its use in different programs. There were also the issues of misinformation, disinformation and deep fakes, which Professor Oppermann identified as the major risk from AI. I commend the mover of the motion, despite opposing the motion.

The Hon. JACQUI MUNRO (21:10): In reply: I thank all members for their contributions to this debate. Acknowledging the seriousness of this issue, our democracy is at stake, with deep fakes, misinformation and disinformation flooding our screens, our society and our conversations. But the reality is that this is a go-slow government when it comes to artificial intelligence [AI] and digital capability, because funding to Service NSW has been cut, and positions that would demonstrate leadership in those areas have been cut. Data, for example, is the fuel of the engine of AI, and we no longer have a chief data scientist. That position is required for the governance, risk and auditing of everything that goes into AI systems from government, and we cannot even have that. The coordinated approach that an AI commissioner would offer is absolutely necessary given the seriousness of what we are dealing with, the pace of change in AI and the widespread impact if things go wrong. Hopefully things do not go wrong, but they may.

It is important to note that the minutes for that report deliberative reflect that the Government only put forward the amendments to recommendations regarding a chief AI officer—I am not really sure what that is—in response to amendments that the Coalition and I made around instituting those positions in the first place. The Government was happy to not do anything in terms of creating a leadership role within government that would allow skill building and capability development to continue and to be pursued.

It seems that Government members misunderstand what AI is. It is not like the metaverse. It is not like quantum computing. It is a tool and a capability; it is not an industry or a sector. As I said before, it will be a part of our entire society and everything that we deal with day to day in our workplaces or at home, with things like Alexa, for example. It is everywhere. It is not, like other technology, an industry or an object or a product, so it deserves a special place in our consideration of policy. It deserves a special place in our consideration of society and how we want to create the best living conditions for the people of New South Wales. That includes trying to educate people on the opportunities that AI presents so that we are not a vulnerable population but are instead an empowered population that can make the most of a new, exciting and slightly terrifying technology.

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

The House divided.

Ayes 17

Noes18
Majority.....1

AYES

Boyd	Farraway	Mitchell
Carter	Higginson	Munro
Cohn	MacDonald	Rath (teller)
Fachrmann	Maclaren-Jones	Tudehope
Fang (teller)	Martin	Ward
Farlow	Merton	

NOES

Buttigieg	Jackson	Nanva (teller)
D'Adam	Latham	Primrose
Donnelly	Lawrence	Roberts
Graham	Mookhey	Ruddick
Houssos	Moriarty	Sharpe
Hurst	Murphy (teller)	Suvaal

PAIRS

Taylor

Kaine

Motion negatived.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. BOB NANVA: On behalf of the Hon. Mark Banasiak: I postpone private members' business item No. 1156 until a later hour of the sitting.

Motions

LOCAL GOVERNMENT TRAINEESHIPS AND APPRENTICESHIPS

The Hon. MARK BUTTIGIEG (21:21): I move:

- (1) That this House notes that:
 - (a) 1,300 new apprentices and trainees will be hired in the local government sector across New South Wales following a significant \$252.2 million investment by the Minns Labor Government;
 - (b) the boost to local government will assist in addressing the ageing workforce and the skills shortages faced across the State, especially in rural and regional areas, while importantly keeping council jobs in council hands; and
 - (c) the first apprentices and trainees under this program are expected to start work in early 2025.
- (2) That this House commends Graeme Kelly, OAM, and the United Services Union for their strong advocacy on behalf of workers in the local government sector.

Last month Premier Chris Minns announced at the New South Wales State Labor Conference—and later with Minister Ron Hoenig and Minister Steve Whan—a whopping \$252.2 million investment to employ 1,300 new apprentices in local government.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! There are too many audible conversations in the House. Members who wish to engage in conversation will leave the Chamber quietly.

The Hon. MARK BUTTIGIEG: The first batch of new apprentices and trainees are set to start work early next year. The type of apprenticeship available will depend on the workforce gaps at the specific local councils. It could include plumbers, engineers, civil construction workers, mechanics, planning cadets and electricians like me. This announcement is important as there are widespread skill shortages. The most recent Local Government Workforce Skills and Capability Survey, compiled by the Australian Local Government Association, found that over 91 per cent of participating councils were experiencing skills shortages. Across Australia, half of the technician and trade occupations are categorised by Jobs and Skills Australia as short-staffed. Technicians and trades are the most common category experiencing shortages.

I note that electricians are among Australia's top 20 occupations in demand. Let me take this moment to say that working as an electrician is a fantastic job that I can vouch for firsthand. As a public service announcement, anyone out there considering a trade should definitely choose to become a tradesperson, and if they are lucky enough they should become a sparky. The survey also found that the local government workforce is ageing. As workers retire, we need to ensure that there are others ready to fill their roles. The 1,300 new apprentices will assist in addressing this. These apprenticeships offer an important way for new generations to learn from experienced workers. The investment in apprentices will positively impact regional communities in particular, as councils are the major employers in many regional areas. Skills shortages are felt more in our regions in comparison to our cities. Local training facilities will receive a boost as a result of these newly created jobs.

Training gaps also exist across Australia. There are many wins in this investment. It creates new opportunities for young people while addressing critical local workforce training gaps. None of this would be possible without the strong advocacy of the United Services Union [USU]. The USU has been running the "council services by council workers" campaign since 2021. It has called for a stop to the privatisation of council services. This campaign highlights the need to support secure work. Unlike the Opposition, this side of the House is anti-privatisation. We are creating more jobs for the people of New South Wales. I congratulate Graeme Kelly and the USU on this long-fought campaign to keep council jobs in council hands. Their continued advocacy and work to protect council jobs is very important. I also congratulate the Minister for Local Government, Ron Hoenig, on this important announcement.

This is a classic example of a Labor Government doing Labor things. We came to power on the promise of solving the skills shortages. By using the power of local government—a tier of government which we still have influence over because the Coalition has not had the chance to flog it all off—to enter the marketplace in partnership with the unions, we will make sure that employers provide those first-class apprenticeships. I was lucky enough to have a first-class apprenticeship from the then Sydney County Council, which was 100 per cent owned by the State Government. This is an example of those things coming back into the economy because a Labor Government is addressing the skills shortage and using its market power to influence the market for the better.

The Hon. AILEEN MacDONALD (21:26): The Opposition supports the motion. In doing so, however, I want to expose the Minns Labor Government's smoke and mirrors when it comes to jobs for apprentices and trainees. On one hand, it says it is all for creating opportunities to hire apprentices and trainees in the local government sector but, on the other hand, it is planning job cuts at TAFE and causing widespread concern among staff about their future and the impact on essential services. The proposed restructure targets crucial departments, including administration, IT, facilities management and accounting, putting the quality of education and support for students at risk. To quote my colleague the shadow Minister for Skills, TAFE and Tertiary Education, Justin Clancy, this Government has taken a knife to TAFE NSW at a time when the State faces unprecedented challenges with skills shortages impacting housing and productivity.

Just look at the facts. The former New South Wales Coalition Government invested \$80 million in the purpose-built training hub to skill up the trade workers needed to support the pipeline of major infrastructure projects, civil construction works and residential developments. This signature construction training facility fosters connections between TAFE, universities and industry. But under the watch of New South Wales Labor, the number of students starting a construction apprenticeship across the past year has dropped by 13.5 per cent. This Government sees an issue and responds by pumping money into the public service. It does not prioritise working with industry to enable and drive apprenticeships. It does not consider our small and medium enterprises [SMEs] as the engine room of the economy.

In fact, this Labor Government does not see our SMEs—full stop. How can it be serious when as many as 200 TAFE job losses have been foreshadowed, creating uncertainty for all staff? Does the Government not realise that slashing support staff roles will have significant flow-on effects to students, potentially making enrolments more difficult and impacting student support? Labor claims to be rebuilding TAFE, but this action by the Minns Government is a blatant betrayal of the entire TAFE organisation and the people of New South Wales. There is too much sleight of hand going on here. We need urgent transparent communication about these restructuring plans. Otherwise, the only conclusion that can be drawn is that the New South Wales Labor Government has no long-term plan to support, nurture and grow our skills sector.

Dr AMANDA COHN (21:29): The Greens welcome the announcement of \$252 million for 1,300 new apprentices and trainees to be hired in the local government sector. This is a step in the right direction to redress years of cost shifting and brain drain of skilled public servants out of local government. In my own experience as a former councillor in a regional city, I have seen the critical workforce shortages that impede councils from doing the work they need to do in communities, as well as the barriers for would-be apprentices from the sector. The challenges of an ageing workforce and skills shortages hit rural and regional councils particularly hard.

Non-competitive salaries are a disincentive for skilled workers to work for councils and mean councils struggle to deliver projects in-house that should be their core business. For example, the Local Government Engineers Association has estimated local government salaries to be 15 per cent lower than comparable engineering salaries.

I am a member of the current Standing Committee on State Development inquiry into the ability of local governments to fund infrastructure and services. The inquiry heard from two representatives of the Institute of Public Works Engineering Australasia, Will Barton and Josh Devitt, who proudly identified themselves as "products" of cadetship programs and fortunate to have developed their skills during the decades where "State and local government were the proving ground of young engineers". Mr Barton said, "with that taste of public service, a lot would come back". Of course, this program will not, by itself, address the many issues impacting the local government workforce or the local government sector, nor do we have the time to discuss those issues today. But funding for the local government sector is welcome, as is building the skills of young people. It is a step in the right direction and The Greens support it.

The Hon. STEPHEN LAWRENCE (21:31): I speak in support of the motion and commend the Hon. Mark Buttigieg for moving it. Having served a term in local government myself, I recall that one of the real pressures that can lead to outsourcing or privatisation is skill shortage. It creates a situation where council staff, who are balancing all sorts of things, will have a tendency to suggest to councillors that outsourcing might be the best way to provide a particular service because they are struggling to find the necessary skills inhouse. That is one reason why I think the policy being endorsed by the motion is such a good thing, because it will build the capacity of local government to provide important services and, therefore, put pressure against the inevitable tendency to outsource.

Outsourcing has a damaging effect on local governments but also on workers' wages and job security. Outsourced workers often fall outside of the government award, and this cuts their wages. That happened recently in Dubbo where construction of the local pool was outsourced to a big international company that brought in many of its own staff, and so people lost their jobs. It also struggled to find people to fill skilled positions, and there was a detrimental effect on service. These pressures to privatise and outsource can be driven by skill and labour shortages. That is why I think this investment in local government apprentices and trainees is so important. Obviously, it is going to be a diverse scheme. We are going to see a range of apprentices and trainees hired because local government has such a diverse range of functions.

I commend Graeme Kelly, the General Secretary of the United Services Union, for his work and advocacy on behalf of workers in the local government sector. The first time I recall the need to inject money into local government sector apprenticeships being raised was in a conversation with Graeme in late 2022. I had called Graeme to discuss another topic, from which he quickly moved on to talk about the urgent need to boost the apprentice system in local government. He has been pushing for it for a long time. He deserves a lot of credit for this policy, because it is going to train up the next generation of skilled labour, address the skill shortage in local councils, boost regional workforces and, most importantly, boost council capacity and head off the threat of privatisation and outsourcing, which must be resisted.

The Hon. SUSAN CARTER (21:34): I support apprenticeships and I endorse the public service announcement that the Hon. Mark Buttigieg has made in terms of apprenticeships. Apprenticeships are a tremendous training path for a whole range of skills, from hairdressing to bricklaying. We should have more young Australians engaging in apprenticeships. The wonderful thing is that after they complete their apprenticeships, having studied and learnt on the job, many apprentices go on to become the real engine of the Australian economy by starting their own small businesses. There are probably more apprentices who graduate into running small businesses than most people who have been at university. In fact, apprenticeship is the engine of small business growth and small businesses are the engine of job and wealth creation for Australia. I commend anything that will increase the number of apprenticeships. Any growth in apprenticeships is welcome.

The Hon. Stephen Lawrence: Even the local government ones?

The Hon. SUSAN CARTER: It is good to see all apprenticeships growing, and it is good to see some action by this Government to address the fall in apprentice numbers under its watch. Under Labor, the number of students starting a construction apprenticeship dropped 13.5 per cent over the past year. That not only represents lost opportunities for many of our young people but also creates major downstream problems for the construction industry. How will we build the houses we need with no skilled tradies to frame the timbers or lay the bricks? This is one issue I have with the announcement that has been made. It is tremendous and we have heard people involved in local government talk about the importance of having local government apprentices, but is it local government building our houses? We have this great need for carpenters, electricians, bricklayers—for all skilled workers—in our housing industry. Not much housing is built by local government. Houses are built by small and large businesses, and these are also great places for apprentices to learn their craft.

An apprenticeship is a great educational pathway. That is why the former New South Wales Coalition Government invested tens of millions of dollars into a purpose-built training hub. It supported the pipeline of major infrastructure projects, civil construction works and residential developments that we undertook. These infrastructure projects, as well as being great improvements to the standard of living for the people of New South Wales, were great opportunities for our apprentices and trainees to learn on the job. It is a shame that under this Government there will be no new infrastructure projects on which our apprentices can learn, because this Government appears to be without imagination and a vision for our infrastructure future.

The Hon. EMILY SUVAAL (21:37): I am pleased to speak in support of this motion. I acknowledge my colleague the Hon. Mark Buttigieg for moving it. I join with others in extending recognition and thanks to the general secretary of the United Services Union, Graeme Kelly, for his advocacy for local government sector workers. I also acknowledge the president of Local Government NSW, Darriea Turley, AM, and Jamie Chaffey, chair of the Country Mayors Association of NSW Inc, for their advocacy for the local government sector. The need for skilled workers was something that we heard about extensively during the recent Standing Committee on State Development inquiry into the ability of local governments to fund infrastructure and services.

This is a welcome announcement—an initiative of over \$250 million generating 1,300 new apprentices and trainees for the local government sector. That is particularly important in regional areas, where local governments are at times the largest employer. Local government was also described as the nursery of the State, a place where young workers could gain skills and sometimes stay. Local governments have a very good award. I again give a shout-out to Graeme Kelly and Stephen Hughes for all their work negotiating that award over the years. But young workers would also often go on to other careers.

Local government workers are crucial, and I think it is important to name a number of the different trades that work on local councils. It is not just engineers, planners and other roles. They have electricians, who are needed to build new homes. They have plumbers; they have sewer operators. In regional areas the local council is often the water utility provider. It operates the water and the sewer in the local town, and you cannot have a new home without both of those things. I also extend my commendation to Minister Ron Hoenig in the other place for his work in delivering this announcement. It will benefit the 128 councils across the State. Those 128 councils may have far fewer Liberal councillors after 14 September. Nonetheless, we will continue to make responsible, better choices to improve standards for the people of New South Wales, and that includes ensuring infrastructure is in place to maintain their standards of living.

The Hon. WES FANG (21:40): I make a contribution to debate on the motion and thank the Hon. Mark Buttigieg for bringing it forward. It is important to talk about local government and local jobs. I encourage those members who are considering apprenticeships in local government to look hard at this scheme and make sure that they get their applications in on time. When considering a local government position, it is important to know when the apprenticeships are opening and when applications open and close. Getting paperwork in on time is particularly important in local government.

There are 1,300 positions, so there is the potential for many rural and regional people to apply for jobs. Some of those positions are probably in Sydney. A number of councils have positions such as electricians, road workers and, potentially, councillors. They are all jobs for which people should have their paperwork in on time. I hope that members who are considering those positions realise that getting the paperwork in on time is important. If it is not done, then they will not be in the running for the role.

Whilst this is a good initiative from the Government, these self-congratulatory motions can be a bit tiring. What we need from this Government is funding not only for apprentices but also for roads. We need funding to make sure that other services that the Coalition provided when in government, such as the Stronger Country Communities Fund, are also extended to local government. There is no point having those jobs there if there is no funding to build, do or fix anything. That is the real test for these positions. Again I emphasise that, in thinking about one of these positions, it is important to get the paperwork in on time, because we all know what happens if they do not.

The Hon. BOB NANVA (21:43): I also welcome the announcement that the Minns Government will invest \$250 million directly into councils to recruit 1,300 apprentices. It is long overdue. Obviously the problems to do with the cut to training and the loss of so many apprentices over the last decade were not caused by the Minns Government, but certainly it has rolled up its sleeves and found a resolution. The good news from this announcement is that we will see the next generation of mechanics, engineers, early childhood educators, plumbers, construction workers and planning cadets all find their way through local councils, particularly those in regional areas. With councils having experienced such a decline in workforce numbers over so many years in what are effectively essential services, it is clear the situation needed to be fixed. We needed a circuit breaker. We needed to stop the haemorrhaging—which is what this announcement does.

The other issue of concern to advocates in local government—including the Australian Local Government Association, and particularly Graeme Kelly from the United Services Union—is that a huge proportion of the workforce in local government that has worked in the sector for decades is likely to retire within the next five years. What is already an acute workforce shortage is going to become even more problematic in the next five to 10 years, particularly as we experience even more knowledge gaps, especially in regional areas. This is a very worthwhile program and much-needed funding. It will address the shortages we have now but also the shortages we will likely see in the future. When people go through these apprenticeships in local councils in regional areas, they can move on to bigger and better things. For many this is just a first job, but they will progress from those apprenticeships into high-skilled jobs where there are significant shortages, such as in housing. It is great to get them on that trajectory and into the workforce—and to do it with some government support, for a change.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:46): I too lend, obviously, the Government's support but also my personal support to this motion. As I have listened to this debate I have heard a bit of rewriting of history regarding what happened to TAFE in the 12 years those opposite were in charge. Members may remember that those opposite introduced this thing called Smart and Skilled, which saw literally thousands of teachers lost to the system and thousands of students lost to the system, with fewer commencements across the entire TAFE sector than ever before.

We have the fewest students with disability actively involved in TAFE. Surprise, surprise, there was a huge loss of apprentices taking up these incredibly important and valuable training opportunities as a result of the "reforms" those opposite washed through the system. We inherited a massive skills shortage in a range of areas, partly due to the total run down of TAFE. The Government's announcement is one of those significant bricks in its rebuilding. It is not just about apprentices in local government, although it means that every local council will be able to start putting apprentices on, providing the training in their local community and providing opportunities for younger people—but also older people and, I hope, women—who are taking up trades. It will also help the TAFE system because it will mean the demand for those places is there.

Unfortunately, if some of those apprentices want to be a welder, plumber, sparky or gasfitter, they will find the courses have collapsed so far that they have to travel a long way to actually do that work. It was very interesting to hear those on the other side of the House suggesting that skill shortages came out of nowhere and that the challenges we face with the economy had nothing to do with the actions taken by the former Government over the past 12 years. I simply could not sit through debate on this motion and not point the facts out.

This is not a congratulatory motion for the Government. It refers to the action the Government is taking. It commends the union and the leader of the union who campaigned relentlessly for a very long time. That is not something that we do lightly. It is something that is done when it is well deserved. This has been a long campaign. It is an incredibly important initiative that starts with the rebuilding of TAFE, the rebuilding of skills in communities, good jobs and pathways for people who are looking for a great job. I really hope that many people take them up.

The Hon. MARK BUTTIGIEG (21:49): In reply: I am heartened by the number of members who have supported the motion. I thank the Hon. Aileen MacDonald, Dr Amanda Cohn, the Hon. Stephen Lawrence, the Hon. Susan Carter, the Hon. Emily Suvaal, the Hon. Wes Fang, the Hon. Bob Nanva and Minister Penny Sharpe for their support. I will make a couple of points about some qualifications that were made during the debate. I remind the House that 50,000 people are employed across 128 councils. Councils manage \$150 billion in infrastructure, which includes pools, libraries and roads. Every year, councils spend \$15 billion on delivering local services to their communities. The footprint of councils in the economy is substantial. If we are going to act as a market leader in providing skills, qualifications and good apprenticeships for SMEs and for small businesses, it makes sense to use that footprint in the economy to provide training—as we used to do 30 and 40 years ago in conjunction with the railways, Sydney Water and the electricity industries. It is simply this Government using its economic power for the benefit of the community.

In respect of TAFE, as the Minister outlined, it is disingenuous to say that we have neglected TAFE. The truth is that members opposite undercut TAFE over the 12 years of the previous Government with the Mickey Mouse scheme of Smart and Skilled, where a third party shonky provider was paid \$10,000 to do a tick and flick and the poor kids would not have a clue when they finished the training. Meanwhile, funding was being ripped out of TAFE. This Government's promise was to restore TAFE to 70 per cent of all VET funding. The money allocated to TAFE in the recent budget by the Treasurer was \$2.5 billion, so the Government has made good on its promise. It is a dual approach of using the Government's footprint to foster good quality apprenticeships—as I mentioned, I have had the benefit of experiencing first-class training that set me up for life—and complementing it with first-class training by restoring TAFE to its pre-eminent position as the training organisation that teaches kids the theory and the practice.

It is good that the Government is doing this. We are making good on our promises. I again thank the House for supporting the motion, but I do not accept the criticism based on the arguments that have been outlined during debate. Notwithstanding all those qualifications, I thank the House for its support. I commend the motion to the House.

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

Motion agreed to.

STARTUP MUSTER REPORT

The Hon. JACQUI MUNRO (21:53): I move:

- (1) That this House calls on the Minister for Innovation, Science and Technology and the Government to urgently restore funding to Startup Muster.
- (2) That this House notes that:
 - (a) the Startup Muster report provides unique, industry-wide insights about startup ecosystem, which have been cited in reports by the NSW Innovation and Productivity Council and used by Investment NSW to support policy development for government; and
 - (b) without a small amount of steady funding, the Startup Muster report is at risk of reduced depth and breadth of analysis and of collapse. There is an old statement by Peter Drucker, "You can't manage what you can't measure." That is exactly what the Startup Muster report does: It measures the startup ecosystem across Australia. It is the nation's largest independent survey of startup ecosystem players in Australia, and in 2023 it received funding from Investment NSW for its important work. The report had been published annually from 2015 to 2018 and it took a hiatus. It is run by an incredible group of volunteers who put their time and energy into making sure this—

The Hon. Penny Sharpe: It was defunded by Scott Morrison.

The Hon. JACQUI MUNRO: I acknowledge that interjection because this report was defunded by Investment NSW. That is the reality of this situation. In 2024 the Labor Government and Minister Chanthivong have declined to fund this very important work that its own Investment NSW team uses to develop policy. Investment NSW and the Innovation and Productivity Council are including Startup Muster data in their reports. The second *Accelerating NSW* report, which was supported by Investment NSW, presented an analysis of co-working spaces, accelerators, incubators and startup hubs, and it drew heavily on the results from the Startup Muster survey of 2023, in which 1,106 people responded. That number was reduced to about 900 people who had valid responses, which were then put into an incredible survey. It is a wonderful report that I very highly recommend.

I went to the launch last year, which was very vibrant. Unfortunately, the Minister was not there. The report presented data like the fact that 56 per cent of startups are using artificial intelligence for key team functions. This year's report, I am sure, will show a very different picture. The point is that we need the funding. We need the report to make findings because we cannot manage what we cannot measure. When talking about the value of the ecosystem of startups in New South Wales, we are talking about hundreds of millions of dollars, and that is all about the future. Startups are innovative, ambitious and looking to contribute to society and our economy, and this Government has decided that it is not important to capture the information that our ecosystem is willing to provide.

I note that the Startup Muster for 2024 is still open for submissions until 26 August. Any players in the space can get their information in. No doubt, that data will be used once more by Investment NSW, by this Government and by the Minister to make policy, if they deign to create policy in this area, which is another question. We already know the Innovation Blueprint is late; it was due in July. We do not know where it is. We do not have a trade strategy; we do not have an industry strategy. The four I's that were originally proposed in January for the Innovation Blueprint have apparently been scrapped. We really do not know where we are going in this space at all. For the Government to decide that it was not going to provide a quantum of funding that is in the low tens of thousands of dollars—it is really chickenfeed.

The Hon. Susan Carter: It's gin money.

The Hon. JACQUI MUNRO: It is gin money. The Commissioner of Police will spend more on gin than this Government will spend on the Startup Muster report measuring the startup system in New South Wales. We have incredible insights that were drawn from last year's report. It included information like the fact that Australia's most recommended co-working spaces are based in New South Wales. Fishburners, Stone and Chalk, and UTS Startups are the kinds of spaces that people want to be in, and yet the Government is cutting funding to those spaces that have provided so much value for startups, entrepreneurs and founders.

Last year the report also found that the top State grant applied to, secured and planned for by startups and founders was the MVP Ventures grant, the very grant that this Government decided to pause, totally unexpectedly, putting people out of pocket and making them wait for an indeterminant period of time. It has since been restored with a nominal amount of funding compared to what it had. I think this Government is just scared about the results of the 2024 Startup Muster. We need to restore funding from this Government.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:58): That was an interesting take from the Hon. Jacqui Munro on what has occurred. I take the opportunity to congratulate her on her promotion as shadow assistant Minister for—

The Hon. Jacqui Munro: The Arts, Innovation, Digital Government and the 24-Hour Economy.

The Hon. PENNY SHARPE: That is fantastic. It is good to see the member working in that portfolio, given the work that she has been doing.

The Hon. Jacqui Munro: I have an excellent, hardworking team.

The Hon. PENNY SHARPE: Totally, all respect. Startup Muster has been an important survey and was funded until 2018 by the Federal Government because it is a national survey. The Morrison Government defunded it in 2018. It had a hiatus and then the Government tried to build it again. The previous New South Wales Government provided funding for it on a one-off basis, after which it had no money for it in the budget. That was in addition to the \$188 million worth of cuts to the Department of Enterprise, Investment and Trade made prior to the election but never announced. This Government has spent a lot of time and a lot of care working through the budget and making tough decisions as it deals with funding cliffs.

The Hon. Jacqui Munro: It all goes to union wages. You are more interested in unions than startups.

The Hon. PENNY SHARPE: There were 1,200 nurses that were on that funding cliff. If the member really wants to get into it, let's talk about the funding cliffs. Let's talk about the out-of-home care workers that were not there. Let's talk about the 1,200 nurses that were on a funding cliff.

The Hon. Susan Carter: Let's talk about Silverchain palliative care that got axed.

The Hon. PENNY SHARPE: I know you do not like to hear about it, but that is the situation.

The Hon. Sarah Mitchell: There was \$150 million out of school budgets this year.

The Hon. PENNY SHARPE: You can make stuff up or you can listen to what really happened. The point here is that startup—

The Hon. Jacqui Munro: The point of being in government is making decisions.

The Hon. PENNY SHARPE: Are you finished?

The Hon. Jacqui Munro: Are you?

The Hon. PENNY SHARPE: I am speaking because I have the call. You can continue to interrupt or you can just let me finish.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! The Hon. Jacqui Munro will cease interjecting. According to standing order, it being 10.00 p.m. proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

According to standing order, members made the following statements.

PUBLIC EDUCATION

The Hon. SARAH MITCHELL (22:01): I was enjoying the debate on the motion of the Hon. Jacqui Munro, but I will have to wait till the next sitting day to get the second instalment. Tonight I talk about Public Education Week. It was the subject of an item of business for today, but unfortunately we did not get to it, so I thought I would use my time in the adjournment debate to talk about the importance of celebrating all the great things in public education. Public Education Week, which ran from 5 to 9 August 2024, was a time to celebrate and acknowledge all those who contribute to the education journey of our children and young people.

School staff, parents and carers, community leaders and P&C associations all play an incredibly important role in our students' education. This year the theme was Proud to Belong, encouraging all of us to celebrate the strength of our local public school communities. I am very pleased, both as a former education Minister and as

the shadow Minister for Education, to have had the opportunity to see a range of really fantastic public schools right across New South Wales where teachers, principals, students, staff and parents work together to get the best outcomes for our next generation. I certainly see it in my most important role as a mum. My girls go to our local public school. I am also a proud graduate of the same public school and of Gunnedah High School. I have seen firsthand, both as a student and now a parent, the benefits of a fantastic public education.

This year a campaign was launched to encourage graduates and alumni to be more outspoken and to champion their schools in a positive way. I acknowledge that that is not a new concept. When we were in government, we ran Proudly Public and we tried to promote people who had achieved fantastic things after leaving public schools. Anything we can do to help lift the profile and the status of public education should receive bipartisan support. It is important to have programs like that because we cannot be what we cannot see. We need to be proud of our public schools and we need to advocate for future graduates. I am still waiting for my invitation as a public school graduate to be part of that program. Maybe it is coming; we will see.

While it is important to talk about the positives, it would be remiss of me not to mention the concerns I have on the messaging around public schools and how we can better support our students. There are areas we need to see more lift in. Clearly, we saw that today with the release of NAPLAN results. It worries me that there has been mixed messaging from the Minister today on the NAPLAN results. A press release issued by the Minister earlier today talked about promising signs and positive signs. Then in media throughout the day the Minister referred to the results as concerning. I am not sure if the results are promising or concerning, and maybe the Minister is confused, but I would go with concerning.

I acknowledge that there have been changes in NAPLAN reporting, but comparisons can be made between data from 2023 and 2024. Today's result shows that there is an increase in the number of students in the bottom NAPLAN band. More students need support this year than they did last year. That is not a good trajectory and something the Government should say is concerning not promising. Today the Minister talked about phonics. That was actually introduced by the previous Government, which put in the compulsory phonics check and set a phonics target for every school. Not only were children measured in how they are achieving in phonics but also schools could actively work to achieve a lift. Those opposite scrapped the phonics and NAPLAN targets in schools. They are now talking about bringing back new optional NAPLAN targets for schools, but not until 2025.

Today the Minister also spoke about hopes that the new curriculum will make a difference over the next few years. But, again, that new curriculum will not be put in place in all schools until 2027. It seems that the Government is happy to talk the talk but is not prepared to do the work to get the outcomes for students. A lot of the initiatives that the Minister spoke about started under our Government, but were delayed by those opposite and will not be in place for a number of years, if at all.

I acknowledge, though, that some good schools were mentioned in the media today. Auburn North Public School is a fantastic school and a statistical outlier in its NAPLAN results, which was why it was part of the Ambassador Schools program. That allowed other schools to learn from its expertise so that they could bring the same to their systems. Alas, the Ambassador Schools program was also scrapped by those opposite. The NAPLAN results are not great, but public education is something that we should celebrate. Now is the time for this Government to do better when it comes to our schools.

AVIAN INFLUENZA

MUSIC FESTIVALS

Ms CATE FAEHRMANN (22:06): A new, deadly strain of bird flu could be here in less than a month. Large outbreaks of the H5N1 strain of bird flu have killed millions of wild birds and tens of thousands of mammals in the past two years. The H5 strain has now spread to all continents other than Australia. This includes, most recently, to North America in 2021, South America in 2022 and Antarctica this year. It is inevitable that it will reach our shores, and we cannot prevent it. This strain is different to and far worse than the H7 outbreak in poultry in New South Wales and Victoria. The most likely pathway for bird flu to arrive in Australia is via shearwaters, a migratory seabird, turning up in New South Wales or Victoria via South America. This could happen in September this year. However, the New South Wales Government has no plan to protect wildlife.

The risk to Australian birds has been rated as high, with consequences predicted to be catastrophic. All bird species are potentially susceptible, and severe declines and local extinctions are likely. Sea mammals like Australia's endemic endangered sea lions are also considered to be particularly at risk. The scale of likely animal deaths is being compared to the Black Summer bushfires. The Government has been aware of this threat for some time. In fact, it has been actively preparing for the arrival of the strain for the impact on the poultry industry, but there is no plan for the impact on wildlife.

By swiftly removing infected carcasses, death rates can be reduced by between 15 per cent and 80 per cent. However, we have no response plans in place for places like the Macquarie Marshes or Montague Island, where significant migratory bird populations arrive each year. The Government must urgently act on this immediate and incredibly dangerous threat. It must appoint a dedicated bird flu coordinator for wildlife, as distinct from the poultry industry, and a dedicated wildlife preparation taskforce. It must urgently prioritise at-risk species and high-value sites and develop detailed response plans for priority sites. It must scale up public communications so that those on the ground know what to do if infected birds start arriving next month. An environmental catastrophe is breathing down our necks, and the response is silence.

In November last year I spoke about the user-pays service fees crippling the music festival industry and forcing festivals like Mountain Sounds Festival to cancel. I raised concerns about the police recommending which festivals should be designated "subject" festivals—meaning that they are high risk and need a higher number of police and other services—and the police setting the fee. If that is not the very definition of a conflict of interest, I do not know what is. Then, in May this year, two months after I was told by the Minister for Music and the Night-time Economy that the review into the Music Festivals Act 2019 would be released "shortly", and as more festivals cancelled—including Return to Rio, Splendour in the Grass and Groovin the Moo—I again called for the findings to be released and for a reduction in the regulatory burden that is saddling festival organisers with hundreds of thousands of dollars of totally unnecessary costs. I have heard nothing.

Instead of taking action, the Government is doing what it does best and hiding behind yet another review while music festivals drown under mountains of fees. Just today I moved a motion urging the Government to release the review, but the Government objected to it, on the day that yet another festival—this time Bluesfest, another one, like Splendour, that was deemed too big to fail—announced it was closing its doors for good after one last festival next year. Bluesfest director, Peter Noble, today urged the Government to financially support the industry, saying that he "just can't see a future for the whole music industry without real intercession from the powers that be". If it is good enough for multinational coal and gas companies, surely it is good enough for music festival organisers. Festivals are being buried in excessive regulations, ridiculous costs and a military-like police presence that makes things more dangerous for patrons, not less. Why the hell are we not seeing any action? Labor has a music Minister and a police Minister. There is simply no excuse for standing by paralysed as music festivals drop like flies.

WOMEN'S SPORT

The Hon. GREG DONNELLY (22:11): Honourable members would be aware that, on 3 December 1855, His Excellency Sir William Thomas Denison, the Governor of New South Wales at the time, with the advice and consent of the Legislative Council, enacted a piece of legislation for the civil registration of births, deaths and marriages in the colony of New South Wales. It became operative on 1 March 1856. Clause 21 of the legislation provided:

... in each case of the death of any person the tenant of the house or place shall within thirty days next thereafter respectively inform the District Registrar of such birth or death and of all the particulars concerning the same according to the forms of registration hereinbefore referred to.

"All the particulars concerning the same" included various important details, including the "sex" of the child. That meant the biological sex of the child—that is, male or female—a matter that is objectively determined. The term "gender" is something quite different, and its contemporary use relates to an individual's own sense of his or her identity influenced by, for example, socially constructed roles, behaviours and expressions. It cannot be objectively determined and may be subject to change. Confusingly, today the term "gender" is often conflated to mean "sex" and vice versa, causing much confusion and misunderstanding. The two terms are distinct and are not a substitute for each other.

While the births, deaths and marriages legislation that commenced on 1 March 1856 has been subject to refinements over time, its elemental features have remained consistent and true and have served both the State and individuals well—not just the past but current and, no doubt, future generations to come. I stand to be corrected, but I am reasonably certain that many members of the Legislative Assembly and the Legislative Council have not yet grasped the full implications, both intended and unintended, of the proposed amendments to the Births, Deaths and Marriages Registration Act 1995 that are contained in schedule 2 to the Equality Legislation Amendment (LGBTIQA+) Bill 2023. I appreciate that members of this House and the other place have much on their plates, but given that last week the lapsing date of the equality bill was further extended to 31 October 2024, it is now time to study the proposed legislation carefully and develop a full appreciation of its scope and flow-on legal consequences.

Every schedule in the equality bill is important in its own way, but schedule 2 is particularly significant. Its direct impact on women and girls across New South Wales now and for generations to come would be immediate and profound. A person with a male sex descriptor on their birth certificate would, with a statutory

declaration stating that they identify as female and a supporting statement from an adult who has known them for at least 12 months, be able to alter that certificate to female—to be clear, they would not just alter their birth certificate sex descriptor to state that they identify as female but that they are female for all purposes of the law. Indeed, if they were challenged about their assertion, they could produce a birth certificate that states that they are female.

What follows is self-evident and of serious concern, particularly for women and girls. Males who have altered their sex descriptor to female will be not only empowered but also legally entitled to enter and remain in female-only public spaces, including toilets, restrooms, showers, change rooms, spas, gyms et cetera. Women have fought long and hard for many years for respect, safety, security and privacy. These are matters of fundamental rights for women and girls, not just preferences. Women and girls must retain the absolute right to these women-only spaces, free from the attention, comments and behaviour of males asserting that they are female.

It would be remiss of me to fail to mention the significant negative impact of sex self-identification laws on women's sport, both individual and team. Although further progress and improvements to women's sports still need to be made, much has been achieved over the past 20 or so years. It is appalling to see—and this is already occurring now, to some extent, without any change to the law—males asserting that they are females and muscling in on women-only sports, demanding that they be allowed to participate in the competition. The consequences for women are serious and potentially life-threatening injuries, loss of sporting career opportunities, denial of awards and prize money, and deprivation of sponsorship support—just to name a few. Much more can and must be said, but I leave my comments there about the negative and deleterious impact of sex self-identification on women and girls. I encourage the public at large to engage directly— *[Time expired.]*

WOMEN'S SPORT

The Hon. SUSAN CARTER (22:16): We are all a little bit weary from staying up too late to cheer on our great Australian athletes at the Olympics. We all look forward to this celebration of national pride and excellence in sport every four years, and the Paris games did not disappoint. I congratulate all our Olympians—medal winners and runners-up alike. They made us all proud to be Australian. It would not be an Olympics without controversy. This year focused on the women's boxing and the participation of two athletes from Algeria and Taiwan. We should not be afraid of controversy, or hard issues and hard conversations. But we are defined by how we approach them.

Ignore the issue of XX and XY chromosomes and the real differences in stamina and strength which they bring, and we are ignoring an issue of real concern to many women around the world. That seems to be the approach of International Olympic Committee President Thomas Bach, who at an Olympic press conference said that it was "scientifically not true anymore that XX is female and XY is male". Personally, I find that approach distressing and unhelpful. I find it distressing because a senior man with an international reputation is appearing to erase the genetic difference between men and women. I find it not helpful because it does not address the real question of how women can participate equally and safely in sport.

The fundamental reason for having women's and men's sports as different categories is because men and women are different. In any sport based on strength or stamina, any person who has gone through male puberty is likely to win over a person who has not. As one quick example, the qualifying time for the 50 metres freestyle in Paris was 21.96 seconds for men and 24.70 seconds—almost three seconds longer—for women. Those times recognise biological fact. Pretending that XX and XY are not different and do not cause people to have different strength and speed is ignoring biological reality. Stifling debate on this issue because it raises hard but important questions about what it is to be female and what it is to be male does not help us move forward.

The CEO of Women's Forum Australia, Rachael Wong, regularly posts about a range of issues of importance to women and has been posting about the controversy in Olympic boxing. Her posts did not attack the two boxers at the heart of the debate. She did not falsely imply that they were transgender. She said:

It is possible to be sensitive to the difficulties faced by those with DSDs and still insist on fairness and safety for women. My position has always been to condemn the International Olympic Committee and its policies, which are failing female athletes, and in this case have also failed the two boxers in question by putting them in a position where they would be subject to such intense public scrutiny.

Her three posts about the issue were removed from LinkedIn for "hate speech". She was then locked out of LinkedIn because she was trying to raise the issue of female participation in sport. Differences in sex development raise difficult issues for fair participation in sport. People transitioning genders, such as the Italian Paralympian Valentina Petrillo, raise difficult issues for fair participation in sport. Prior to transitioning, she won 11 national titles in the men's category and will now run against women in Paris. It is the first time that an openly transgender athlete will participate in the Paralympic Games.

Of course, it raises issues about equity and justice. Such difficult issues are not resolved by saying, "There is nothing to see here." They are not resolved by shutting voices out of social media. Before they were removed,

Rachael Wong's three posts had over 60,000 views and 600 reactions. Those figures are relevant because they demonstrate that the posts were part of a conversation—a conversation we need to have. Social media was performing the role of fostering community engagement with the ideas of others. Former University of Sydney vice-chancellor Michael Spence used to argue for the need to "disagree well". We need to learn that lesson because it is exactly the constructive purpose which Rachael Wong's post were serving. LinkedIn should never have censored them, or this important debate.

NATIVE FOREST LOGGING

Ms SUE HIGGINSON (22:21): This morning in this place, the Office of the NSW Chief Scientist and Engineer science and research breakfast seminar series was held. Professor Carolyn Hogg of the University of Sydney spoke about biodiversity and extinction. She is doing incredible work in genomic research in conservation management. She painted the grim picture of the extinction crisis that we are in, and she made very clear that we are in this crisis because we have destroyed too much habitat. She said, "We should just stop cutting down trees." New South Wales is in the business of cutting down trees—and at serious scale. Across our precious public native forest estate, the State is not only committing extinction logging, but perpetrating unlawful logging. The Government is creating a culture of unlawful logging with impunity. It is a very serious matter that this Government needs to stand up and face.

Four direct strands feed into this impunity. One, we have a government that has broken a promise to end logging in the Great Koala National Park, which it was elected on a promise to create. Along with the whole community—other than those the Minns Labor Government must have done a deal with before the March 2023 election—I cannot buy the spin that the promise meant the Government would continue to log the park to this date. But log it it has, and more intensively than the Liberals in the 12 years prior. The Government endorsing extinction logging under a lie creates a culture of logging with impunity.

The second strand is that the Forestry Corporation keeps breaking the law. In the thirteenth prosecution proceedings in recent times, each of which have involved multiple criminal charges, the Forestry Corporation was fined \$360,000 and agreed to pay the Environment Protection Authority legal costs of bringing the prosecution, which we know will be in the order of hundreds of thousands of dollars. Of course Forestry Corporation has agreed, because it is not its money, is it? It is not its money because it belongs to the public. Not paying fines in real terms for a crime is not a punishment. There is no deterrent factor. That creates a culture of logging with impunity. Thirdly, when the Premier was asked about the latest round of criminal behaviour, he said:

Obviously, it is disappointing. We expect the Forestry Corporation to be a good corporate citizen. It is important to say it is not as straightforward as perhaps many members believe when it comes to forestry protections. It is not a simply a case of prescribing an area where you can and cannot log.

I say to Premier Chris Minns that this is next level because this crime was exactly that. The Forestry Corporation logged two environmentally significant areas of size—the two areas it was prohibited from logging. When the Premier stands up in Parliament and lies about the forestry law and provides some weak, lame explanation to qualify and cover up for these crimes, it is next-level racketeering, which creates a culture of logging with impunity.

Fourthly, when the corporation is charged with a criminal offence, the EPA charges only the Forestry Corporation, not the CEO, not the foresters, not the shareholder Ministers—the Treasurer and the finance Minister—and not the logging contractors. It is all one big facade. It is a laughing matter out in the forests on the ground, and it is creating a culture of logging with impunity. It is time up for NSW Labor. It cannot keep hiding from the truth that is native forest logging. In fact, now we are at a point where it is literally running a racket. We have a rogue corporation that is extinction-logging with impunity, and Labor must rein it in and pull the plug.

Just last week we heard in this place from four incredible forest experts: Professor David Lindenmayer, Dr Steve Phillips, Dr Kita Ashman and Dr Phil Zylstra. They all made it clear in no uncertain terms, along with every other scientist and ecologist that I know, that we must end native forest logging and start the repair as a matter of priority. Logging is driving extinction, fuelling the climate crisis, absolutely stuffing the pollinators, making us more susceptible to fire, screwing with our water and causing grief amongst our forest communities and young people everywhere. And for what?

CAUCUS SOLIDARITY

The Hon. ANTHONY D'ADAM (22:26): Recently I commented on Senator Fatima Payman's decision to cross the floor on a motion in the Australian Senate regarding the recognition of Palestine as a state. Fatima Payman's decision was consistent with the Australian Labor Party's national platform on this issue. It is an open question whether the caucus can bind a member to vote against an explicit commitment in the platform. With her resignation from the party, the question is moot. These events have contributed to a debate on the principle of

caucus solidarity and whether individual members of a Labor caucus should be able to vote contrary to a caucus decision.

I have been surprised by the extent to which members of Parliament and party members have indicated how strongly they disagree with my position. To many, the requirement for binding caucus decision-making is a core element of Labor's organisational principles. If indeed it is a core principle, it is surprising that in New South Wales—where the local government code of conduct has explicitly prohibited binding caucuses for almost a decade—the party has never initiated proceedings to challenge this matter in the courts. Now in government, there is no indication that the party intends to reverse this position despite being able to do so at the stroke of a ministerial pen. Why? That is because the provision was inserted as an anti-corruption measure, based on the recommendation of ICAC.

The Hon. John Graham made a similar point when he criticised the emergence of nested binding caucuses in the context of Eddie Obeid exercising undue influence over the State parliamentary Labor Party. Obeid's control of a small sub-faction enabled control over the majority faction, delivering control over the whole caucus. The Hon. John Graham described this phenomenon as "a confidence trick that resembled a Russian matryoshka doll" which "has to be eliminated" from the party. The principle of a binding caucus is founded on the notion that those who participate in the deliberations of a caucus should be bound to support the decisions that have been arrived at collectively. However, increasingly, in the contemporary Labor Party, its caucus decisions are a mere rubber stamp for decisions already made by the leadership group, if not by the leaders themselves, without any prior discussion or input from the caucus members.

In fact, under the modern structure of the Labor caucus, a minority position can easily be imposed on a majority of the members. That is because of the interaction of the doctrine of ministerial collective responsibility and Cabinet solidarity with the Labor caucus. Ministers are reluctant to contradict the leader for fear it might induce a leadership crisis. A leader who does not get their way is judged weak by the media. That high-stakes game means a leader can stare down dissenters. They can exercise their discretion to unilaterally determine the Government's policy in full knowledge that the only alternative course open to dissenters is to take the drastic action of spilling the leadership. That trend has contributed to the increasingly presidential nature of our political system, which is at odds with the Westminster tradition.

The doctrine of ministerial collective responsibility has sat awkwardly with Labor's caucus system since Labor first entered Australian parliaments. Where can genuine debate occur in a parliamentary Labor Party if members of the Executive constitute a majority of the caucus, as they do currently in New South Wales? The Cabinet's private deliberations and the operation of collective responsibility effectively create a caucus within a caucus, depriving backbench members of any meaningful part in the deliberations on the decisions they are bound to support. That process is not good for democracy. It is not good for open debate. It is not conducive to good governance.

Many matters that come before the Parliament are not the subject of explicit caucus discussion or decision. Those matters are left to the discretion of the leadership group, and that decision is imposed on the members of the caucus with no opportunity to deliberate. That is often the case in this House, particularly in relation to private members' business. I believe allowance should be made for the whip to be lifted for private members' business on a case-by-case basis, particularly when the matter before the House does not concern an area of core Government policy.

It is undoubtedly the case that, in the Labor Party, matters reserved for conscience votes have tended to be on issues that affect those on our party's philosophical right, such as abortion, euthanasia and marriage equality. However, when the shoe is on the other foot and members of the party's left face ethical and moral challenges, the party appears less willing to tolerate policy diversity. The Coalition routinely brings forward motions to this House designed to wedge Labor by highlighting points of division within our ranks on a range of policy questions. Unsurprisingly, a big-tent party like Labor has diverse views on complex issues.

It is cruel to require members to vote against their publicly expressed views. It feeds a view in the electorate that politicians are cynical and are not genuine in what they say, or that Labor politicians are unthinking robots that are unresponsive to the sentiments of their communities. It leaves the electorate with the conclusion that, if they want an MP who will reflect their will, they need to vote for candidates who can act independently. That is a view that I reject, but it is hard to counter while Labor insists on this inflexible approach to caucus solidarity. If Labor is to remain a big-tent party, it must embrace a more agile approach.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The House now stands adjourned.

The House adjourned at 22:31 until Thursday 15 August 2024 at 10:00.