

## LEGISLATIVE COUNCIL

Wednesday 16 October 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*

#### **MEMBERS' PROFESSIONAL DEVELOPMENT**

**The PRESIDENT (10:01):** I remind members of today's members' professional development series with the Office of the eSafety Commissioner. Members and staff can join the session in the theatrette or virtually via Teams from 1.00 p.m. The topic of the session is social media self-defence for members and their staff, and will cover the latest research and data about the nature of online abuse experienced in political environments, strategies for setting up social media to improve safety, and the role of the eSafety Commissioner.

#### **LEGISLATIVE COUNCIL BICENTENARY CONCERT SERIES**

**The PRESIDENT (10:02):** I advise members that from 12.45 p.m. to 1.30 p.m. a talented string quartet from the Sydney Youth Orchestra will perform in the Fountain Court as part of the Bicentenary Concert Series. During the Legislative Council's 200th anniversary, the popular series invites visitors, staff and members to reflect on its past, celebrate its progress and imagine its future. The program today will include selections from Dvořák, Vivaldi and Elena Kats-Chernin. I look forward to seeing members there.

### *Motions*

#### **AUSTRALIAN IRELAND FINANCE FORUM**

**The Hon. CAMERON MURPHY (10:03):** I move:

That this House notes that:

- (a) on 24 September 2024 the Sydney Consulate General of Ireland and Enterprise Ireland held the Australian Ireland Finance Forum at the Sydney Mint on Macquarie Street;
- (b) the event heard from leaders in finance from both Ireland and Australia through networking and discussion to foster collaboration and to strengthen the financial ties between the two countries;
- (c) the event was opened with speeches from His Excellency Tim Mawe, Ambasadóir na hÉireann, Rosie Keane, Consal Ginearálta na hÉireann and Senator Deborah O'Neill; and
- (d) attendees included Mr David Mehan, MP, the Hon. Cameron Murphy, AM, MLC, and leaders of the finance community of Sydney.

**Motion agreed to.**

#### **EMMAUS VILLAGE AND COMMUNITY CENTRE**

**The Hon. CAMERON MURPHY (10:03):** I move:

That this House notes:

- (a) on 2 October 2024 the Emmaus Village and Community Centre in Port Macquarie officially opened;
- (b) Emmaus Village is a purpose-built dementia care facility which will accommodate up to 94 people, and is designed on principles of person-centred care and aims to provide a home-like environment where people can live with dignity and the support they need;
- (c) designed and constructed by St Agnes' Catholic Parish, the Government provided \$5 million in support of the construction of the village along with \$6.5 million from the Federal Government's Building Better Regions Fund; and
- (d) the opening was well attended and included officials from the parish, local leaders and members of Parliament including the Hon. Leslie Williams, MP, Senator Deborah O'Neill, Mr Pat Conaghan, MP, and the Hon. Cameron Murphy, MLC, who was there representing the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast, the Hon. Ryan Park.

**Motion agreed to.**

### **PREGNANCY AND INFANT LOSS AWARENESS MONTH**

**The Hon. SARAH MITCHELL (10:03):** I move:

- (1) That this House notes that:
  - (a) October is Pregnancy and Infant Loss Awareness Month;
  - (b) the focus this month is on increasing awareness and providing additional support to individuals whose lives have been profoundly changed by miscarriage or the loss of an infant; and
  - (c) in Australia, every one in four pregnancies end in loss before 12 weeks.
- (2) That this House acknowledges:
  - (a) that this year's primary message is "it's okay not to be okay", and aims to spread the message that it is okay wherever you are at, to feel what you are feeling and not feel you have to explain yourselves or justify your grief;
  - (b) that no-one should have to walk the journey of miscarriage and pregnancy loss alone; and
  - (c) an open and honest dialogue where people feel safe to share their personal experiences plays a crucial role in breaking down the stigma associated with miscarriage and pregnancy loss.
- (3) That this House recognises the incredible work and advocacy of the Pink Elephants Support Network, who provide the latest resources, information and peer support for anyone impacted by early pregnancy loss.
- (4) That this House congratulates the Chief Executive Officer of Pink Elephants, Sam Payne, and her team for all the work they do to support grieving women and their families through the tragedy of miscarriage and early pregnancy loss.

**Motion agreed to.**

### **HIGHER SCHOOL CERTIFICATE EXAMINATIONS**

**The Hon. SARAH MITCHELL (10:04):** I move:

- (1) That this House notes that:
  - (a) Tuesday 15 October 2024 marks the beginning of a pivotal moment for New South Wales year 12 students as they begin their Higher School Certificate written exams; and
  - (b) this milestone marks the culmination of years of hard work and dedication.
- (2) That this House acknowledges students for their unwavering commitment, as well as the teachers, families and school communities who have provided crucial support throughout their academic journey.
- (3) That this House encourages all year 12 students to seek assistance during stressful exam periods when necessary and urge them to prioritise their wellbeing and utilise available support systems.
- (4) That this House congratulates all year 12 students as they embark on this journey and extend our best wishes for their upcoming examinations and future endeavours.

**Motion agreed to.**

### **UNITED TOGETHER COMMUNITY COMMEMORATION**

**The Hon. NATALIE WARD (10:04):** I move:

- (1) That this House notes that:
  - (a) on 7 October 2024 our community gathered together in unity at the United Together community commemoration to mark the 12-month anniversary of the attacks on Israel by Hamas;
  - (b) the event was organised by Zionist Council of NSW and the NSW Jewish Board of Deputies;
  - (c) the event recognises that the pain and suffering that was perpetrated by the actions of Hamas on 7 October 2023, which included the deliberate targeting of civilians including women, children, the elderly and Jewish and Arab community members; and
  - (d) the event was attended by many community leaders, including:
    - (i) the Premier, the Hon. Chris Minns, MP;
    - (ii) Leader of the Federal Opposition, the Hon. Peter Dutton, MP;
    - (iii) the Hon. Scott Morrison, MP, the thirtieth Prime Minister of Australia;
    - (iv) the Federal Minister for Health and Aged Care, the Hon. Mark Butler, MP;
    - (v) Leader of the State Opposition, the Hon. Mark Speakman, SC, MP;
    - (vi) Attorney General, the Hon. Michael Daley, MP;
    - (vii) Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport, the Hon. Stephen Kamper, MP;
    - (viii) Deputy Leader of the Liberal Party, the Hon. Natalie Ward, MLC;

- (ix) the Hon. Damien Tudehope, MLC;
  - (x) member for Coogee, Dr Marjorie O'Neill, MP;
  - (xi) member for Vacluse, Ms Kellie Sloane, MP;
  - (xii) member for Davidson, Mr Matt Cross, MP;
  - (xiii) member for Wahroonga, Mr Alister Henskens, MP; and
  - (xiv) the Hon. Robert Borsak, MLC.
- (2) That this House recognises the Zionist Council of NSW, the NSW Jewish Board of Deputies and presidents Orli Zahava and David Ossip for their work in organising the event.
  - (3) That this House condemns antisemitism in all its forms.
  - (4) That this House pledges to work with Australia's Jewish community to ensure that the rise in antisemitism is addressed.
  - (5) That this House condemns all acts of hatred and division affirming that they have no place in New South Wales.

**Motion agreed to.**

### ISRAEL-HAMAS CONFLICT

**The Hon. NATALIE WARD (10:05):** I move:

- (1) That this House notes that:
  - (a) on the evening of 29 August 2024 six Israeli hostages—Hersh Goldberg-Polin, Eden Yerushalmi, Carmel Gat, Alexander Lubanov, Almog Sarusi and Ori Danino—were executed by Hamas, and their bodies were recovered on 31 August 2024 in Rafah's Tal Al Sultan neighbourhood by the Israel Defense Forces [IDF];
  - (b) the IDF stated it made the horrendous discovery 20 metres down and 120 metres deep into a tunnel shaft located from a child's bedroom where Hamas members had lived;
  - (c) IDF stated it is likely that the hostages were there for possibly weeks and three of the victims—Goldberg-Polin, Gat and Yerushalmi—were all included in a July draft of the ceasefire deal and were slated for release in the first phase of the proposed agreement; and
  - (d) as of 15 October 2024, 97 of the 251 hostages abducted by Hamas on 7 October 2023 remain in Gaza, including the bodies of 33 confirmed deceased by the IDF.
- (2) That this House wishes for the safe return of the remaining hostages in Gaza back to Israel, to their families, to their friends and to their homes.

**Motion agreed to.**

### SYDNEY GREEK FESTIVAL

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

- (1) That this House notes that:
  - (a) since 1980 the Greek Festival of Sydney has provided the opportunity for the Greek and broader New South Wales community to celebrate Greek artistic and cultural practices through a number of events, including an outdoor festival in Darling Harbour, many performances, talks, exhibitions, folkloric activities and a film festival;
  - (b) the Hon. Mark Buttigieg, MLC, was honoured to attend two fantastic events of the Greek Festival 2024;
  - (c) this included the annual Dionysios Solomos Awards on 3 March 2024, where the Hon. Mark Buttigieg, MLC, represented the Minister for Industrial Relations, and Minister for Work Health and Safety, the Hon. Sophie Cotsis, MP:
    - (i) the event celebrated the top achievers in Greek afternoon schools and the Modern and Classical Greek HSC and was organised by the Greek Orthodox Community of NSW, with support from the NSW Education Standards Authority, and was hosted by the University of Sydney.
  - (d) this also included a talk on 18 April 2024, where the Hon. Mark Buttigieg, MLC, represented the Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport, the Hon. Stephen Kamper, MP:
    - (i) at the event Professor Mark Byron and Professor Vrasidas Karalis gave lectures exploring the relationship between Lord Byron, an English poet, and his love for Greece and was put on in collaboration with the Consul-General of Greece in Sydney, Mr Ioannis Mallikourtis.
- (2) That this House congratulates the Greek Festival of Sydney committee: festival chair, Nia Karteris; festival events coordinator, Chryssa Karagiannidou; festival assistant and art designer, Eleni Skarlatou; editorial consultant, Dr Alfred Vincent; and art direction and design, Aaron Carney, for putting on another fantastic Greek Festival for all to enjoy.

**Motion agreed to.**

**PARLIAMENTARY FRIENDS OF EMPOWERING OLDER WOMEN EVENT**

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

- (1) That this House notes that on 25 September 2024 the Hon. Aileen MacDonald, OAM, MLC, co-hosted an event in the New South Wales Parliament for the Parliamentary Friends of Empowering Older Women.
- (2) That this House supports the group and recognises the importance and relevance of older women as decision-makers and valued members of society.
- (3) That this House notes this parliamentary friends group was created to promote the rights, dignity and wellbeing of older women.
- (4) That this House congratulates Parliamentary Friends of Empowering Older Women on holding the event and recognises the two special guest speakers.
- (5) That this House notes Catherine Fitzpatrick, founder and director of Flequity Ventures, addressed the group on her mission to disrupt financial abuse and gender bias towards women.
- (6) That this House further notes that Rebecca Glenn, founder and CEO of the Centre for Women's Economic Safety, addressed the group on economic safety to support women experiencing economic abuse in the context of domestic and family violence.
- (7) That this House acknowledges the bipartisan spirit of the event which was attended by:
  - (a) Trish Doyle, Labor Party;
  - (b) Jodie Harrison, Labor Party;
  - (c) Sonia Hornery, Labor Party;
  - (d) Tim James, Liberal Party;
  - (e) Jenny Leong, The Greens;
  - (f) Natasha Maclaren-Jones, Liberal Party;
  - (g) Joe McGirr, Independent;
  - (h) Rachel Merton, Liberal Party;
  - (i) Geoff Provest, The Nationals;
  - (j) Janelle Saffin, Labor Party;
  - (k) Tamara Smith, The Greens;
  - (l) Maryanne Stuart, Labor Party; and
  - (m) Leslie Williams, Liberal Party.
- (8) That this House acknowledges that women in regional and rural New South Wales are more likely than women in urban areas to experience domestic and family violence.
- (9) That this House addresses the fact that the stigma and shame attached to domestic and family violence leads to a lack of perpetrator accountability which deters women from seeking help.
- (10) That this House notes a lack of privacy in regional and rural New South Wales leads to the high likelihood that police, health professionals, and domestic and family violence workers who know both the victim and perpetrator can inhibit women's willingness to use local services.

**Motion agreed to.**

**TOMATO BROWN RUGOSE FRUIT VIRUS**

**The Hon. AILEEN MacDONALD (10:06):** I move:

- (1) That this House recognises:
  - (a) the recent outbreak of the tomato brown rugose fruit virus in South Australia and the serious risk this outbreak poses to the operations of the Costa glasshouses in Guyra; and
  - (b) that this virus, which has not been previously found in Australia, has been detected in three businesses in the Northern Adelaide Plains in South Australia.
- (2) That this House acknowledges that the tomato brown rugose fruit virus is on the National Priority Plant Pests list and is regarded by the State and Federal governments as a considerable threat to Australia's \$5.8 billion vegetable industry and the \$2.8 billion plant nursery.
- (3) That this House notes that the virus can infect up to 100 per cent of a crop and cause yield losses of between 25 per cent and 70 per cent.
- (4) That this House also recognises that since 2005 Costa has invested more than \$200 million in the establishment and expansion of its facilities and is one of the region's major employers with some 800 staff.
- (5) That this House further notes that:

- (a) of the 800 employees across two sites, 94 per cent live in the Armidale local government area; and
  - (b) Costa has done the right thing and introduced a range of biosecurity measures including the engagement of a biosecurity expert to review risk management measures.
- (6) That this House congratulates Costa on supplying tomatoes free to local Guyra cafes and bakeries in an effort to minimise the risk of the virus spreading.

**Motion agreed to.**

### UNITED NATIONS INTERNATIONAL DAY OF RURAL WOMEN

**The Hon. AILEEN MacDONALD (10:06):** I move:

- (1) That this House affirms its support for the United Nations International Day of Rural Women, which falls on 15 October 2024.
- (2) That this House supports achieving gender equality and empowering women as not only the right thing to do but also as a critical ingredient in the fight against extreme poverty, hunger and climate change.
- (3) That this House acknowledges women are responsible for half of the world's food production while working as environmental and biodiversity stewards.
- (4) That this House notes, as farmers, women have learned how to cope with and adapt to climate change by practising sustainable agriculture in harmony with nature, switching to drought-resistant seeds, employing low impact or organic soil management techniques or leading community-based reforestation and restoration efforts.
- (5) That this House notes rural women account for about 22 per cent of the global population.
- (6) That this House notes the first International Day of Rural Women was observed on 15 October 2008.
- (7) That this House also acknowledges that the United Nations General Assembly recognises the critical role and contribution of rural women, including Indigenous women, in enhancing agricultural and rural development, improving food security and eradicating rural poverty.

**Motion agreed to.**

### *Documents*

### NSW POLICE FORCE MANAGEMENT AND ADMINISTRATION

#### Production of Documents: Further Order

**The Hon. ROD ROBERTS (10:07):** I move:

- (1) That this House notes that:
  - (a) on Wednesday 18 September 2024 this House ordered the production of further documents from the Minister for Police and Counter-terrorism, and Minister for the Hunter, and the NSW Police Force relating to police management and administration; and
  - (b) on Wednesday 2 October 2024 a return was received from the NSW Police Force [NSWPF], stating that all returned "documents are produced in response to category (g) of the resolution and that the NSWPF has not located any documents that are responsive to categories (a) to (f) and (h) of the resolution".
- (2) That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution all legal or other advice regarding the scope or validity of the order of the House of Wednesday 18 September 2024 for papers regarding police management and administration, or which informed or influenced the NSW Police Force response to that order, in the possession, custody or control of the Minister for Police and Counter-terrorism, and Minister for the Hunter, NSW Police Force or the Cabinet Office, and any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

**Motion agreed to.**

### ASSISTED REPRODUCTIVE TECHNOLOGY

#### Tabling of Report of Independent Legal Arbiter

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

- (1) That the report of the Independent Legal Arbiter entitled *Disputed Claim of Privilege—Assisted Reproductive Technology*, dated Tuesday 15 October 2024, together with submissions, be laid upon the table by the Clerk.
- (2) That, on tabling, the report and submissions are authorised to be published.

**Motion agreed to.**

### *Motions*

### PARRAMATTA POLICE SHOOTING ANNIVERSARY

**The Hon. JACQUI MUNRO (10:08):** I move:

- (1) That this House recognises that 2 October 2024 marked nine years since the 2015 Parramatta shooting at the NSW Police Force Headquarters which lead to the death of 58-year-old unarmed police civilian accountant Curtis Cheng.
- (2) That this House acknowledges the ongoing hard work of the NSW Police Force in safeguarding our State.
- (3) That this House reflects upon the sacrifice made by members of the NSW Police Force, and honours those who can never be thanked for their brave actions.

**Motion agreed to.**

*Documents*

**UNPROCLAIMED LEGISLATION**

**The Hon. JOHN GRAHAM:** According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 15 October 2024.

**TABLING OF PAPERS**

**The Hon. JOHN GRAHAM:** I table a report of Liquor and Gaming NSW entitled *Review of the Music Festivals Act 2019: Final report*, dated April 2024.

**ASSISTED REPRODUCTIVE TECHNOLOGY**

**Report of Independent Legal Arbiter**

**The CLERK:** According to the resolution of the House this day, I table the report of the Independent Legal Arbiter entitled *Disputed Claim of Privilege—Assisted reproductive technology*, dated Tuesday 15 October 2024, together with submissions.

**ASSISTED REPRODUCTIVE TECHNOLOGY**

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 15 May 2024, I table a return received on Wednesday 2 October from the Cabinet Office, together with an indexed list of a document for which certain claims of privilege have been withdrawn and with information over which privilege continues to be claimed redacted.

*Business of the House*

**WITHDRAWAL OF BUSINESS**

**The Hon. NATASHA MACLAREN-JONES:** I withdraw business of the House notice of motion No. 1 on the *Notice Paper* for today relating to a motion to disallow schedule 1 [12] to the Liquor Amendment (Vibrancy Reforms) Regulation 2024, as published on the New South Wales legislation website on 28 June 2024.

*Motions*

**ISRAEL-HAMAS CONFLICT**

**The Hon. CHRIS RATH (10:20):** I move:

- (1) That this House notes that 7 October 2024 marked the one-year anniversary of Hamas's brutal and indiscriminate attack on Israeli civilians.
- (2) That this House expresses:
  - (a) its deepest sorrow for the 4,580 people wounded or killed in the attacks;
  - (b) its regret for all loss of innocent life occurring in the ensuing conflict; and
  - (c) its support for the release of the 101 hostages still unaccounted for in Gaza.
- (3) That this House condemns:
  - (a) the registered terrorist organisations Hamas and Hezbollah, and the state of Iran for their continued provocations against Israel; and
  - (b) the increased levels of antisemitism in New South Wales which began to transpire just days after the initial attacks on Israel.
- (4) That this House calls on the Minns Government to:
  - (a) reaffirm its support for Israel's right to defend itself; and
  - (b) commit to legislation banning the insignia of terrorist groups such as flags, symbols or slogans.

If I was to describe hell on earth, I would say this. You are attending a festival to celebrate your culture and creativity. You are a young man or woman with an eager, innocent outlook on life. You are not a partisan. You are not a soldier. You are a teacher, an engineer, a student. Yet, within minutes, the patter of the festival's drums morphs into a patter of bullets. The scene is now a chaotic wreck as dozens of terrorists fire their weapons at point blank range directly into a crowd of festival goers. Miles away, the bodies of your friends are being burned and tortured beyond recognition. Rape is being used as a weapon of war. Your only chance is to play dead, to hide under a pile of bodies, otherwise you might become one of the hundreds being methodically shot down from trees or bushes or any other hiding spot.

This is not the Saulx Valley massacre, where 86 French men and women were shot dead on their doorsteps or taken hostage by the SS in 1944. It is not even the Krasowo massacre, where 257 Jews and Poles were murdered in cold blood with grenades and buried alive in 1943. It is the story of Esther Borochoy at the Re'im music festival massacre. She was one of the 4,580 casualties in the brutal 7 October attacks on innocent civilians and on Israel. The similarity of these massacres to ones that occurred 80 years ago should not be surprising. The same antisemitic, hateful, terroristic tendencies underpin both. The cold-blooded tactics are synonymous and even callous. Even the Global Imams Council holds Hamas "directly responsible for the deaths", citing their "reckless and inhumane tactics" which "have only escalated the cycle of violence and undermined the cause of justice and peace".

Remembering those massacres in all their detail is important. It is important not only because it serves as a reminder that history rhymes and that "never again is now", but also because events like the 7 October attacks live on long after they occur. To date, 101 hostages are still unaccounted for in Gaza, tragically taken from their loved ones. Elsewhere in the world, the attacks by Hamas have lit the flame of antisemitism. Calling for the destruction of the Jewish state, intimidating Jewish mourners in their communities and deterring Jewish students from attending universities are now daily occurrences.

Just last month, Hezbollah flags were spotted at protests in Melbourne. Taliban flags were also proudly waved at the University of Sydney encampment earlier this year. Those are not people that want to support a two-state solution. Those are not rational members of our society who can engage in debate. Those are terrorist sympathisers who want nothing more than to see further violence and harassment against Jews. Clearly, that is not about Israeli retaliation, because some of the most violent slurs and most provocative behaviour was displayed in 2023 on 9 October—just two days after the attack on Israel—praising the tactics and goals of Hamas.

It is time for the Premier to stand up. If the former Government could ban Nazi symbols—symbols under which massacres of Jews were glorified—then the current Government should have the guts to ban the display of terrorist iconography such as flags, logos and symbols by inserting a general offence into the Crimes Act. We must end the ability for truly horrible members of our society to actively call for the perpetration of war crimes and crimes against humanity. It starts with providing our Police Force with the legislative certainty to back up that power. We, in this House, must reaffirm Israel's right to defend itself. We must take decisive action.

**The Hon. DANIEL MOOKHEY (Treasurer) (10:25):** I lead for the Government in debate on the motion. I stand with all members of the House to again unequivocally condemn the murderous acts by Hamas on 7 October 2023. A year on, our thoughts and prayers continue for those who have been killed and injured, those who are currently held as hostages, and their families and friends here in New South Wales. We stand with the Australian Government in reiterating our condemnation of terrorist organisations, including Hamas and Hezbollah. The global community and others—right-minded citizens around the world—have stood forth and condemned those particular organisations.

Equally, our heart goes out to all those in New South Wales who have family and friends in the region who have found themselves impacted by the conflict that has ensued. Of course, that includes our prayers and thoughts extending to the tens of thousands of innocent civilians in Gaza and Lebanon who have died as a result of this conflict. We recognise their deep grief and loss too. We further acknowledge that globally there have been international efforts to de-escalate the conflict and move towards a ceasefire, as well as resumed talks about a solution to the Palestinian situation. In that vein, I move:

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

- (5) That this House condemns the increased levels of Islamophobia and racism since 7 October.
- (6) That this House mourns the death of all innocent civilians and the humanitarian situation in Gaza.
- (7) That this House supports international efforts for a ceasefire in Gaza.
- (8) That this House affirms its support for a two-state solution.

I pick up on one point made by the Hon. Chris Rath, who moved the motion, about how the Parliament acted previously to ban swastikas. That is a very good example of reform that has taken place. I point out the context

that that was the result of a longstanding bipartisan campaign waged by people across both sides of the aisle. It would be remiss not to acknowledge the role of Walt Secord in waging that campaign.

The Hon. Chris Rath nominated that ban as an example of the former Government's actions. It certainly took place in the previous term of Parliament, while the Coalition was in charge. However, we should acknowledge that it happened in a bipartisan way after years of campaigning by people who wanted to see that far-right organising, which was creating great distress for the Jewish community and other communities, picked up. We should be careful of how we use that context. I make the point that far-right activism continues today, and we should condemn that as well.

**Ms ABIGAIL BOYD (10:28):** The Greens oppose this motion. I quote:

So, one way of posing the question of who "we" are in these times of war is by asking whose lives are considered valuable, whose lives are mourned, and whose lives are considered ungrievable. We might think of war as dividing populations into those who are grievable and those who are not. An ungrievable life is one that cannot be mourned because it has never lived, that is, it has never counted as a life at all. We can see the division of the globe into grievable and ungrievable lives from the perspective of those who wage war in order to defend the lives of certain communities, and to defend them against the lives of others—even if it means taking those latter lives.

These are the searing words of Judith Butler about the ways that war is mediated, sanitised and rendered palatable. Consent is manufactured for the ruthless extermination of those wretched populations of the earth by rendering their lives as non-lives, and so their loss is no loss at all. It is under these conditions that a genocide may occur. We are now in the second year of that genocide. It is one of the greatest crimes we have witnessed in a generation, and, through our association, we have been complicit in it.

Necropolitics seeks to shape the ways in which we can grieve by determining who is grievable because open grieving is bound up with outrage, and outrage in the face of injustice or unbearable loss has enormous political potential. It is for this reason that the regimes of power seek to regulate and explicitly censor our expressions of grief. We saw this surrounding 7 October this year. Politicians and the media told a community that their grief was inappropriate and unwelcome, and the New South Wales police sought to prevent its public expression. The motion brought to the House today exemplifies that permission structure under which this genocidal assault is being waged. It erases the grief and suffering of those in our community who have lost friends and loved ones every single day for more than a year.

Why is it that they are incapable of mourning the dead without diminishing the deaths of others? When one vigil on 7 October mourned all victims and included prayers from three religions, and one vigil only referred to one group of victims, why was the former called divisive? To make it abundantly clear, The Greens mourn the loss of Israeli civilians on 7 October and acknowledge 7 October as a day of mourning for Israelis and many Jewish people. I reaffirm the beyond-urgent need for an immediate, permanent and unconditional ceasefire in Gaza, and now in Lebanon, and for a hostage deal.

A just and lasting peace goes beyond just a ceasefire and requires an end to the long-term occupation, ethnic cleansing and apartheid regime. I reaffirm our party's commitment to peace and nonviolence through language, intention and action. I refuse to be drawn into this sick exercise of weighing one group's grief off against another's. It is inhumane and repellent. Every day brings fresh horrors to our community. Pushing that terrible and unimaginable grief away will only do us harm. We need to pray for the dead and fight like hell for the living, and that is exactly what we intend to do.

**The Hon. JEREMY BUCKINGHAM (10:31):** I speak in support of this important motion. I thank the Hon. Chris Rath for bringing the motion to the House. On behalf of the Legalise Cannabis Party, I extend my deepest sympathies and regret to all those killed, wounded and irrevocably impacted by the attack of Hamas on 7 October 2023. We call for the return of all remaining hostages, and we mourn the appalling loss of innocent lives that occurred on that day and in the ensuing conflict. What we saw on that day was a premeditated and carefully planned attack. It was a barbaric massacre that shook the world. It was an attack that was designed to provoke division, retaliatory violence and a regional war between Israel and its enemies, and it has succeeded to that extent to the great loss of the people of Gaza, Lebanon and Israel, and, indeed, to all of us.

To my party, it was not just an appalling attack on fellow human beings but also a disgusting attack on our people: lovers of partying, peace and freedom. It was an attack on young, beautiful ravers and hippies who were simply dancing in the desert. Further, I support the motion because it rightly draws the attention of the House to the terrible rise of antisemitism and hate speech in this country. I have always spoken out against hate speech, and I will never stop doing so. I was the first and only member of The Greens to sign the London Declaration on Combating Antisemitism, and today I commit to supporting legislation banning the insignia, symbols and slogans of Hezbollah, Hamas and any other terror group. The Legalise Cannabis Party was born out of the counterculture revolution of the 1960s, and the core tenets of our value system are peace and nonviolence.



Whatever our differences, we must resolve them through discussion and concord without resorting to violent speech or action against person or property. I was alarmed by an attack on a Jewish bakery in Surry Hills this week. Yesterday I was alarmed, but sadly not surprised, to read that the candidate for The Greens in the Australian Capital Territory, James Cruz, had called for the delisting of Hezbollah as a terrorist organisation and wanted to "kill politicians". The NSW Young Greens, which is an elected and powerful voting body of The Greens, called the attacks on the office of an MP in Victoria, where Hamas murder insignia were painted, legitimate. That candidate should be disendorsed and The Greens should condemn those comments. I understand the passion of all those involved in this issue, but it is incumbent on all of us to reject hate and to support peace and de-escalation. I commend the motion to the House.

**The Hon. JOHN RUDDICK (10:34):** I move:

That the question be amended by omitting paragraph (4) (b).

Paragraph (4) (b) provides that this House calls on the Government to "commit to legislation banning the insignia of terrorist groups such as flags, symbols or slogans". The Libertarian Party is opposed to the State banning flags, symbols and slogans because they are a form of free speech. If we are going to ban symbols, why do we not ban the hammer and sickle? They are responsible for 100 million deaths. Why do we not ban Che Guevara T-shirts? When parliaments around this country moved to ban the swastika, the only party which opposed that ban was the Libertarian Party. We were right to do so.

I am 53 years old, and I cannot remember seeing somebody flying a swastika out the front of their house. At the time we said that it was a slippery slope, because when we ban the worst symbol, governments will invent other ways to start banning things. And here we are. To those who say they do not like the symbols of Hezbollah and other groups, I say we do not like them either. However, people who truly believe in free speech simply have to tolerate them. That is the difference between classical Liberals and the Libertarian Party. The Hon. Chris Rath is a good classical Liberal, but classical Liberals will bend on principle in difficult moments. It might be good in the short term, but in the long term we will regret it. I hope the House supports my amendment.

**The Hon. ANTHONY D'ADAM (10:35):** The Hon. Chris Rath suggests that members condemn those who defend war crimes. By bringing forward the motion in its present form, the member is contributing to the defence of war crimes. It is all well and good to assert conventions around the rights of nations to defend themselves, but to choose to do so at this particular time exhibits a wilful blindness to some of the atrocities that are occurring on a daily basis.

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

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

**The Hon. Natalie Ward:** I respect the right of every member to speak on this motion. However, the member should confine his comments to the substance of the motion and not reflect on the member, or on the intent of the member, who has moved it.

**The PRESIDENT:** I understand and have some sympathy for the point of order, but at this stage the member has not crossed that line.

**The Hon. ANTHONY D'ADAM:** I am referring to the member's comments. I draw the attention of the House to the fact that, a few days ago, an Israeli air strike on the Jabalia refugee camp in northern Gaza killed at least 50 people and left 150 wounded. The Israeli Defence Force also bombed a Catholic Church in Lebanon a few days ago, which killed at least eight people. That is not self-defence. If we accept the arguments put forward by the Hon. Chris Rath, then all those actions are legitimate and the right of Israel to defend itself extends to an unlimited right to do all sorts of horrific things. Over the course of the conflict in Gaza, that has included rendering 80 health centres inoperative, rendering 34 hospitals inoperative and giving a direction to 400,000 people in northern Gaza to move and become forcibly displaced. They cut off food and water in northern Gaza for 10 days. These are war crimes, committed in the name of self-defence, but they cannot be defended. They cannot be defended. I think it is disturbing that, at this point in time, the Liberal Party seeks to politicise this— [*Time expired.*]

**The Hon. STEPHEN LAWRENCE (10:39):** I speak in support of the Government's amendment, in particular, and the motion. Over the weekend I watched a new documentary by Richard Sanders and Al Jazeera's Investigative Unit titled *Investigating war crimes in Gaza*. Some of its content is relevant. I found I was reduced to tears while watching it—not by the recitation of 42,000 deaths, or the fact that most housing in Gaza has been destroyed, or that 90 per cent of the people in Gaza are living in poverty, or that the vast majority have been dislocated from their homes and that, effectively, human civilisation there has been reduced to an unimaginable extent—by the repeated footage of the humble properties of Palestinian people being destroyed by Israeli soldiers. Israeli soldiers were sharing on social media, seemingly with impunity and freely, footage of them destroying

Palestinians' homes, overturning their humble possessions, smashing their televisions et cetera. There can be no question about any nation state's right to self-defence. There certainly cannot be a question about whether Israel has exercised it; it clearly has.

There is a live question about the specific intent crime of genocide. If this is not genocide, I do not think there is any arguable suggestion that the widespread destruction of civilian infrastructure is anything other than a war crime. There can be no military objective in wiring up a hospital, a university or people's apartment buildings and destroying them. What is playing out before our eyes is grave indeed, and history will judge it harshly. International institutions are already judging it, but we need to mark the horror of what happened on 7 October in a fair way. For example, we need to note that Palestinian Israelis were killed on 7 October. We need to note that 39 Thai people were killed. I recently read an article in *The Times of Israel* about a Palestinian paramedic called Awad, who was killed at the Supernova music festival.

We need to acknowledge this indiscriminate crime against humanity. Embracing and choosing at this time to support the right of self-defence tends to support the narrative that what has been done has supposedly been in self-defence. I speak as someone who has practised in international humanitarian law and has studied international criminal law. There is a reason the International Court of Justice has issued a ruling that what has been done is completely indefensible. I call upon members to support the amendment, because it brings some balance to a profoundly imbalanced motion.

**The Hon. NATALIE WARD (10:42):** I speak in support of the motion in its original form and do not support parts of the amendments. I thank the Hon. Chris Rath for bringing this important motion to the House at this time and for the consistency of his support for Israel and the Jewish people. The NSW Parliamentary Friends of Israel, of which I am co-chair, hosted a screening of the events of 7 October, in this place. It consisted of live footage from Hamas body cameras. I watched that footage with other members of this place and saw the terror brought on that day, which included murder and teenagers being hunted down at a dance festival. We watched and listened as those Hamas soldiers called their parents to celebrate the fact that they had murdered Jewish people. One said, "Hi, Mum. I've killed Jews!" Innocent teenagers, who were simply attending a music festival, were killed.

I reflect on what I said a year ago in this place regarding the reports of antisemitic language and the desecration of the Israeli flag being unacceptable, appalling and not representing the values of the people of New South Wales. I am saddened to hear that Jewish people fear for their safety in the community. Their identity, humanity and right to defend themselves will always be recognised in this Chamber and by me. In recent weeks we have seen a bakery, politicians, academics and students targeted. Why and for what? It was simply because they are Jewish. This is reminiscent of Germany in the 1930s, and history will judge us. It is happening on the streets of Sydney today. The fact that we still need to have a report on antisemitism in Sydney every year—as thick as this one I am holding—is unacceptable. Every obfuscation and excuse in the book can be used as to why these people are targeted, but the common denominator is their belief in the Jewish faith.

Hamas and Hezbollah are listed terrorist organisations, so I join this motion in condemning Hamas, condemning Hezbollah and condemning the actions of Iran in support of terrorism. Israel has the right to exist. Israel has the right to defend itself against terrorist organisations. The fact is, there was a ceasefire prior to 7 October. The Hamas events of 7 October were designed to create war. Hamas and Hezbollah are terrorist organisations that should be stopped. I join with other members who have called on the Minns Government to take steps to outlaw the symbols of those terrorist organisations. For this Government to take credit for what was done in the previous Parliament to remove Nazi symbols is a little bit rich, with respect, because the work was done by Vic Alhadeff. Members of this place supported him. It was headed by the Hon. Walt Secord, and there were many members in this place who stood with him, but the work was done— [*Time expired.*]

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:45):** In the past 12 months there have been many motions moved in this place about what has happened and is happening in the Middle East. It is important that we recognise the monumental loss of life that has occurred everywhere. Every life is important. We must commemorate and understand the impact of what happened on 7 October, when innocent people going about their lives at a dance party were brutally murdered or taken hostage. We see the tears and the concern on the faces of their families on our television screens every day. We cannot ignore the terrorism that caused that.

But we also see death, destruction, the tears of mothers whose houses have been bombed, and the impacts on innocent civilians. This motion and the Government amendment tries to understand both of those things. We are not trying to draw any kind of elevation in relation to whose life is more important than anyone else's. We are saying that all life matters and that the horrors that have been inflicted are terrible, no matter where they have come from. Of course Israel has a right to defend itself, and it must. It has a responsibility to protect its community.

That is what the motion is about. It is why the Government can support the motion but urges members to support the amendment. All of this matters.

We have spoken a lot about the impact of these events on our community, in terms of loss of cohesion and the challenges around that. The rise of antisemitism is despicable, and it should not be tolerated for one minute by one member in this place. Similarly, we need to acknowledge and be as concerned about the rise in Islamophobia being experienced by people living in our community. We know that antisemitism is wrong. We know from history that if it is not stopped, it will spread. We also need to make sure that Islamophobia does not spread. That is what the Government's amendment is trying to do: acknowledge that all loss of life in the Middle East is terrible. Great wrongs have been done. We must acknowledge them, and we must hope that we can get to a ceasefire and to peace.

**The Hon. SCOTT FARLOW (10:48):** There is one reality: All members of this Chamber wish that the events of 7 October last year never occurred. If they had not, we would not be here talking about this motion today, nor would we be talking about what is occurring in Gaza or in Lebanon. It all stems from what occurred on 7 October 2023. I reflect on some of the examples that were given in a podcast I tuned in to during COVID, *Call Me Back*, with Dan Senor. This was quite moving to me because this was a retelling of Kibbutz Nahal Oz, which I visited in Israel in 2015. Having visited people's homes and their safe rooms, it certainly brought to me the reality of what occurred on 7 October. I will quote from the podcast about what was supposed to happen in that kibbutz, but 4,580 people lost their lives on that night of 7 October—the greatest loss of Jewish life since the Holocaust.

I note what the Hon. Stephen Lawrence said, which is that it was not just Jews who died that night. It was as well Muslims and Thais who were serving as itinerant farmers. 7 October was the seventieth anniversary of the Kibbutz Nahal Oz, which was founded in October 1953. Celebrations were supposed to occur, but instead what occurred that night was that people were locked up in their safe rooms, which tended to be their children's bedrooms, so that parents could spend the night with them rather than choosing which child to get out of the bedroom. I quote some of what was said in that podcast about that night:

Now I'm thinking about us versus the terrorist and here's my mental scorecard. They have a lot of weapons with them. They have Kalashnikov AK-47s. They have hand grenades. I don't know what else they may have but it's clear that they are armed. We don't have any weapon, and even if I had a handgun, I'm not trained enough to fight. I hear five people shouting outside, so advantage terrorist. They can't see us.

[Time expired.]

**The Hon. CHRIS RATH (10:50):** In reply: I thank all members who contributed to this debate. Before I address some of the issues in the amendments, I say that we have seen too often, in Australia and around the world, that too many people are on the wrong side of this fight between good versus evil. Hamas is a terrorist organisation, as the motion states. Hezbollah is a terrorist organisation. They have committed atrocities. It should be easy for all members of this place and all of humanity to condemn Hamas and Hezbollah. If Hamas and Hezbollah put down their weapons, there would be no more war. But if Israel put down its weapons, there would be no more Israel.

I turn to the amendment moved by the Hon. John Ruddick. No-one supports freedom of speech more than I do. I think I am the second-biggest supporter of freedom of speech, second only to the Hon. John Ruddick, but I do not believe that freedom of speech should be extended to terrorist organisations and people inciting violence. There is a limit to freedom of speech, and I do not think freedom of speech extends to incitement of violence and terrorist organisations. The Opposition does not support the calls for ceasefire in the way the Labor amendment is worded because the Opposition does not believe there should be ceasefire until the hostages are released and until the terrorist organisations of Hezbollah and Hamas are sufficiently degraded so that Israel and its citizens can live in peace.

Calls for ceasefire without those preconditions shows whose side Labor is truly on. The Opposition supports calls in the amendment for the regret of the loss of all innocent life, which is stated in the motion I moved. I explicitly included in paragraph 2 (b) of the motion "... regret for all loss of innocent life occurring in the ... conflict". That is important. There have been losses on all sides. It is important we acknowledge that in the motion, but we do not support extending it to calls for ceasefire. We need to think how we would feel in Australia if we had to live next door to terrorist organisations. How would we feel if terrorists invaded us on 7 October and took our people hostage? [Time expired.]

**The PRESIDENT:** Order! I do not need members telling me when time is up. The Hon. Chris Rath moved a motion, to which the Hon. John Ruddick and the Hon. Daniel Mookhey have moved amendments. I will start with the amendment moved by the Hon. John Ruddick. I also foreshadow that if a member wishes to propose that we deal with the Hon. Daniel Mookhey's amendment in seriatim, that is to say that we deal with the paragraphs

one by one rather than in globo, we will do so. The question is that the amendment of the Hon. John Ruddick be agreed to.

**Amendment of the Hon. John Ruddick negatived.**

**The PRESIDENT:** We will now move on to the amendment moved by the Hon. Daniel Mookhey. There being no request for the paragraphs in the amendment to be dealt with in seriatim, we will deal with it in globo. For the benefit of members, I mention that there is an issue with the lifts. A number of members are unable to get to the Chamber at this point. If they do not get here in time, it is my intention to increase the time available for the division. The question is that the amendment moved by the Hon. Daniel Mookhey be agreed to.

**The House divided.**

Ayes .....22  
Noes .....17  
Majority.....5

**AYES**

Banasiak  
Borsak  
Boyd  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann

Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence

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

**NOES**

Barrett  
Buckingham  
Carter  
Fang (teller)  
Farlow  
Farraway

Latham  
MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mitchell

Munro  
Rath (teller)  
Roberts  
Tudehope  
Ward

**Amendment of the Hon. Daniel Mookhey agreed to.**

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

**Motion as amended agreed to.**

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

*Questions Without Notice*

**TRANSPORT FOR NSW EVENT POLICY**

**The Hon. DAMIEN TUDEHOPE (11:02):** My question is directed to the Minister for Roads. Why did Transport for NSW fail to prevent an end-of-year event involving alcohol consumption taking place on a construction site on the Sydney Gateway project on 9 December 2023?

**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) (11:03):** I thank the honourable member for his question. There has been some publicity about that event. As the honourable member would have seen, Transport for NSW has indicated quite strongly that such an event is not acceptable. It is not acceptable to hold Christmas drinks on active worksites in New South Wales. That is not an appropriate place to hold such events. There are many other places at which such events can be held but that is not one of them.

For such an event to occur, authorisation should be sought and granted—or not—by Transport for NSW. That did not occur on this occasion. It has led to consequences for the contractor involved and has been the source of formal engagement by Transport for NSW with the contractor as a result. It has led to consequences in the way that that contractor is formally regarded in the transport system. My thoughts are with one particular person who was affected by an incident at the site on the evening. That event should not have occurred. It was not authorised and such an event should not have been authorised, even if it had been requested through the proper channels.

**The Hon. DAMIEN TUDEHOPE (11:04):** I ask a supplementary question. When did the Minister first learn that that social event had been allowed to take place on a road construction site?

**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) (11:05):** I thank the member for his supplementary question. While I do not want to debate the question, I do not accept the way that it was framed. The event was not allowed and it was not authorised. It is important that that is on the record. I became aware of it in the days leading up to the publicity, after there were media inquiries about it, and we obviously sought information from Transport for NSW about what it knew about the incident.

#### TELOPEA PUBLIC HOUSING

**The Hon. PETER PRIMROSE (11:05):** My question without notice is addressed to the Minister for Housing. Will the Minister update the House on what the New South Wales Government is doing to renew and upgrade public homes in Telopea?

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:05):** I can absolutely update the House. As the House knows—

**The Hon. Damien Tudehope:** It's taken a long time.

**The Hon. ROSE JACKSON:** It has taken a very long time. I accept that interjection because obviously the Hon. Damien Tudehope has some familiarity with the project; perhaps it is close to where he resides. Other members may not be as familiar with the beautiful suburb of Telopea, which has had a number of public housing residences sitting empty for years. The Wade Street towers, colloquially known as Three Sisters, is one of them and has been empty for years.

The previous Government signed a contract with Frasers to renew the public housing stock in Telopea many years ago. Residents were moved out of the Three Sisters and then nothing happened. The towers sat there in the middle of a housing crisis. Hundreds and hundreds of homes were sitting vacant for years. Why would that be allowed to happen? It is because of the dud deal done by the former Government to renew the suburb. That is exactly why. As soon as I became the Minister, I thought, "What's going on here?" It is a beautiful community situated right on the light rail and presents a great opportunity for renewal and an opportunity to deliver more homes and better homes but nothing is happening.

It has taken a real arm wrestle but, at the end of the day, I lost patience with the dud deal. The Government has ended the contract with Frasers signed by the previous Government and has taken control of the project. That is exactly what this Government is about: getting rid of the dud deals, mistakes and errors and taking control of action on the housing crisis. What does that mean in Telopea? It means that the renewal of the Three Sisters will be reactivated, starting right now. Those premises have been vacant for some time, so I imagine there is a bit of wear and tear, but this Government is getting them back up to scratch so hundreds of homes can be brought online. There are also fully-funded plans for the redevelopment of more and better homes right across Telopea, including Polding Place, Evans Road and Sophie Street. It is a combination of getting back on track, taking control and delivering more homes that are urgently needed right now. It is another example of the New South Wales Government systematically working through the mistakes of the past and delivering more homes for the future.

#### TRANSPORT FOR NSW EVENT POLICY

**The Hon. SARAH MITCHELL (11:09):** My question is directed to the Minister for Roads. Following the Minister's earlier answer and noting media reports that participants at the end-of-year event on the Sydney Gateway construction site continued partying, even after a woman attending the event was seriously injured and subsequently remained in hospital for several weeks afterwards to receive treatment for fractures to six ribs, her sternum and vertebrae, two of which had to be surgically fused, why did it take months for the Minister to be advised of the serious incident?

**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) (11:09):** I thank the member for her question. I have been up-front about the timing of when I became aware, as a Minister. I reiterate a couple of details. Approval was not sought for the event. The event was held by a contractor. They are required to seek approval from Transport for NSW, but they did not. Had approval been sought, it would not have been granted. That event, and events like it, should not be happening on active worksites in the State. I indicated earlier that there have been consequences for the contractor.

Transport for NSW issued formal notices to the contractor that the event was not a permitted use of the site and should never be repeated on other worksites. The joint venture's performance rating was marked down as a

consequence of this action and the lack of approval being sought. A safety review into the incident was immediately conducted. SafeWork NSW was notified. All of those steps are appropriate. The member asked about the timing. I have indicated when I received the information. I have also reiterated that to Transport for NSW through my office. I support the position Transport for NSW has taken. The event should not have occurred. Those events should not be occurring on active worksites in New South Wales.

### COVID-19 GOVERNMENT RESPONSE

**Dr AMANDA COHN (11:11):** My question is directed to the Minister for Finance, representing the Minister for Health. In 2023 more than 6,000 patients contracted COVID-19 in New South Wales public hospitals, resulting in the deaths of 297 people. That data was obtained under freedom of information laws and reported by the ABC this week after 18 months of resistance from NSW Health as well as questioning by myself at budget estimates, when I was advised that the Clinical Excellence Commission did not systematically collect data on hospital-acquired COVID-19 infections. Is the Government comfortable with the current levels of transmission of COVID-19 and associated illness and deaths under the current infection control settings in our public hospitals?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:12):** I thank the member for her question, which is directed to me in my capacity representing the excellent Minister for Health in the other place. I am advised that COVID-19 activity was high over winter. Hospital presentation and admissions have declined from mid-June 2024 and are now at low levels. I am also advised that the COVID-19 vaccination program continues to be managed by the Commonwealth and that the New South Wales risk alert level is at foundational level. COVID-19 polymerase chain reaction [PCR] testing by private pathology providers remains available with a medical referral. People who attend a NSW Health facility will be tested for COVID-19 by PCR if clinically indicated. I am also advised that at the end of the first week of October 2024, COVID-19 emergency department presentations were stable at low levels and that KP.3, a sublineage of JN.1, has been the dominant circulating variant in New South Wales over winter.

I note that COVID-19 will continue to disproportionately affect the elderly and other people who are at a higher risk of severe disease. I also take the opportunity to acknowledge that it is an issue that the member has been pursuing through budget estimates. Additional information has now been released as a result of a government information access application. Given that I am not the Minister responsible, I will take the rest of the question on notice and come back to the member with a response. I make the general observation that we are not currently in midst of the pandemic as we have been in previous years. There is a need for our hospital system and society more generally to come up with a way to operate now that COVID-19 continues to circulate within the community. We are no longer in the midst of the pandemic. In relation to the specifics of the question, I will come back to the member with a more substantive answer.

### SOCIAL HOUSING ENERGY PERFORMANCE INITIATIVE

**The Hon. Dr SARAH KAINE (11:14):** My question without notice is addressed to the Minister for Energy. Will the Minister inform the House about how the NSW Social Housing Energy Performance Initiative is being rolled out across the State?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:14):** I thank the honourable member for her question. The initiative is good news for people who struggle the most with their energy bills. It is real relief in terms of support for more efficient and liveable homes that are more comfortable to be in for some of the most vulnerable people in the community—those who live in social housing. The Social Housing Energy Performance Initiative is \$175 million shared between the Commonwealth and New South Wales. I am pleased to work with the Hon. Rose Jackson and colleagues in the Federal Government to deliver the program.

I update the House because it is important to know that since its launch, there have been over 1,500 energy upgrades across more than 1,000 social housing properties, with around 40 per cent of those in regional New South Wales. The upgrades include over 1,000 rooftop solar systems, which will bring down ongoing energy bills through generating free energy on rooftops; over 150 heat pump hot water systems, which use less energy and cost less to run than any alternative; over 100 air conditioning units that will keep residents cool in summer and warm in winter, with less impact on their bills; and the installation of ceiling insulation, ceiling fans, window shading and drought proofing. It is an important initiative and a great example of the upgrades that the newly released Consumer Energy Strategy recommends for households. We now have living, breathing examples of how much people can save, what it means to them and how much more liveable and comfortable homes are as a result.

The initiative reflects the Government's priority on equity as it goes through the transition. Consumer energy is at the heart of the transition of the electricity system. It is about putting people at the centre of it and allowing them to upgrade their homes and benefit from the free energy that comes from the sun. We do not want that to be available only to those who can afford it. The Government wants to see it available to as many people as possible. The Government will deliver upgrades to a further 23,000 homes in the coming years. I thank those who are doing the work and emphasise the importance of partnership across agencies within government and between different levels of government to make sure that programs are delivered. The Government is serious about what it is doing on social housing. It is expanding social housing, with \$5.1 billion in the budget for 8,400 homes and a further \$1 billion for maintenance, but the \$175 million initiative also will make a difference to thousands of tenants. There will be cheaper bills and better homes. It is a very good outcome.

#### CLUB 77

**Ms CATE FAEHRMANN (11:17):** My question is directed to the Minister for Music and the Night-time Economy. The Premier said that he wants Sydney to be "exciting and vibrant" and that that is not going to happen "unless we can get rid of some of the antiquated rules" that "actively disincentivise pubs and clubs from operating". Club 77 in Kings Cross shut down its Sunday event because of serial harassment by the Kings Cross police, who have hounded the club for months, including on absurd licensing conditions like whether there are more than 20 people in the queue after 2.00 a.m. and whether people are standing more than two abreast. In recent weeks, police have demanded records of till journals, incident logs and CCTV footage. I have spoken with the Minister and his department about this before. What has the Minister done to investigate such behaviour by police? What has the Minister done to support Club 77?

**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) (11:18):** I thank the member for her question. Firstly, members know that the State has lost many venues over the past decade. The Government's position is simple: It does not want to lose any more venues, particularly long-term venues. The member is referring to a venue that has been operating for many years. The State cannot afford to lose venues like that, which is a position that I put on the record when I was asked about it at budget estimates.

There clearly have been difficulties between the venue and the police; that is a matter of public record. Some of the issues that the member referred to have been talked about as being some of the pressures there. To me, on the face of it, those do not seem like reasonable things to be getting in the weeds about. In the course of the public discussion, there has also been reference to a serious incident. I am not using the precise words we use publicly; members might forgive that. Publicly, the club's answer has been that it was not aware of that being investigated, so there clearly are some issues to be sorted through here.

Secondly, I have asked the 24-Hour Economy Commissioner to engage with that club. We have a 24-Hour Economy Commissioner in this State for exactly that reason—to work between clubs and police. I am advised that the commissioner is in dialogue with both sides to try to sort through this issue, and that is exactly what we should be doing—negotiating to sort through the issues. The issues are always complex. However, on the face of it, some of those things do not seem like they would cause a concern.

Obviously, if there has been a serious incident, that is another matter, and that is something that should be dealt with appropriately. The commissioner is working through those issues. As usual, they are complicated. The last thing the Government wants to see is another venue lost to New South Wales, so I hope that we are able to sort through those. I discussed those matters with the commissioner as recently as yesterday. It is a very active discussion. I also alert members to the fact that the Government is looking to strengthen its ability to force those discussions and engage in mediation. That is an important matter. These things often have to be sorted out formally. We need to strengthen the dialogue between government agencies and venues to make sure that those often complex issues are able to be sorted through.

**Ms CATE FAEHRMANN (11:21):** I ask a supplementary question. The Minister mentioned that he had been having discussions with the 24-Hour Economy Commissioner, and he talked about the importance of strengthening dialogue. What discussions has the Minister had with the police Minister about ongoing over-the-top police actions around venues like Club 77? It is not an isolated incident. One night in September, Club 77 had roughly 12 police officers walk into the venue with a police dog. That is one police officer for every 12 square metres of space in that small club. What discussions has the Minister had with the police Minister to try to change the behaviour of police?

**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) (11:22):** Firstly, I do not want to go into details of direct discussions with my colleague. I do not think that would be helpful, because we need to have those discussions in government. Clearly, it is a matter that the Government has been discussing

across the board. It is something that has obviously been discussed in relation to both festivals and venues. How do we best support venues? Venues NSW has publicly raised issues about policing, and supporting venues is something the Government is discussing.

Secondly, in reports to me, the views about venues generally and their relationship with the police, particularly in the central Sydney area, have been improving. I recognise the fact that there has been good work done in the relationship between police and venues across New South Wales and particularly in central Sydney. Thirdly, there is a real issue with that specific venue. This was not a one-night incident; I agree. Clearly there have been issues raised over a series of nights, and this is a complicated issue that needs to be sorted through. That is why the Government has taken the action it has to date. I am open to updating members as things unfold with this particular issue.

#### TRANSPORT FOR NSW EVENT POLICY

**The Hon. NATALIE WARD (11:24):** My question is directed to the Minister for Roads. Given the Minister's earlier answer regarding the party held at the Sydney Gateway construction site, was an officer of Transport for NSW involved in the so-called risk assessment for the end-of-year event and did they subsequently attend the party? If so, when did the secretary, Josh Murray, first become aware of that involvement by his officer?

**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) (11:24):** I thank the member for her question. I will update the House as to what I have been advised about this. The member is correct that a risk assessment was provided to that officer and there was some interaction.

*[Opposition members interjected.]*

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

**The Hon. JOHN GRAHAM:** Further, the officer is a mid-level safety manager who attended, they believed, in an off-duty capacity. Those two things are obviously of concern. As has been indicated formally to the contractor, some engagement on a risk assessment could not provide authorisation for the event on behalf of Transport. That has been made clear. Proper authorisation should have been sought. It was not sought and it was not granted. If it had been sought, it would not have been granted. I reiterate the fundamental position here: Active New South Wales Government project worksites are not venues for Christmas drinks. That is the position not only of the Government, which I have reiterated to Transport, but also of Transport both generally and specifically on this. That event was the responsibility of the contractor. The contractor is responsible for that worksite. That is clearly the situation that applies here.

**The Hon. NATALIE WARD (11:26):** I ask a supplementary question. I thank the Minister for his answer but, given his confirmation that Transport for NSW was involved in the risk assessment by an officer, I ask that he elaborates on when the secretary, Josh Murray, first became aware of that involvement by his officer.

**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) (11:26):** I informed the House as to when I became aware. I cannot advise the House as to when the secretary of the agency became aware, but I am happy to take that on notice.

#### HEALTH INSURANCE LEVIES

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

**The Hon. GREG DONNELLY (11:27):** We welcome the students too. As politicians, we will appreciate some tips on Legal Studies and other things that the students are learning. My question is addressed to the Treasurer. Will the Treasurer respond to community concerns about private health funds threatening to increase their premiums next year?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:27):** I thank the member for his question. This morning New South Wales and Australia woke up to news that the private health insurers have begun a campaign to increase private health premiums by 6 per cent from next year. That follows their attempt to increase private health premiums by 6 per cent last year, at a time of record profits, when the amount of money that they pay back to their members has fallen year after year, and whilst they continue to refuse to pay their bills to New South Wales public health.

This morning, in response to that, we saw the private hospitals—who, it is fair to say, are not the natural allies of this Government but, nevertheless, we appreciate a good relationship with them—call it racketeering.



Profiteering is what they termed it. That is what other members of the health profession have identified here, all of which is a salient reminder to this place about the wisdom shown by Treasurer Baird a decade ago to ensure that those funds were paying the right rates for public hospitals. It was wise for the Government to reintroduce that legislation yesterday to honour Mike Baird's agreement and make sure it is enforced. Since then, the Government has had constructive engagement with many parties in the Parliament. I thank the Coalition for its engagement so far.

I hope that next week, when members have the opportunity to consider the matter in further detail, they will all assess their respective positions in light of recent developments. I remind members of the first principle: People should pay their bills, especially when it comes to the healthcare system. The reason why private health funds pay public hospitals is so their members can access them. The reason they do so is because in many parts, especially in regional New South Wales, there are no private hospitals for their members to be treated in. That is why they make that rate. A decade ago, the Parliament took up that challenge when the previous Government brought it to the Parliament's attention. The Parliament then resolved to act on a bipartisan basis. In the years since, those funds have walked away and are not paying the bills, even as their profits go up and benefits go down. We cannot tolerate a situation where, heads, the private health funds win, and tails, the taxpayers lose. It is fine for profits to be made, but people should pay their bills first.

### NSW POLICE FORCE AND PROTESTS

**Ms SUE HIGGINSON (11:30):** My question is directed to the Leader of the Government, representing the Premier. Who will be conducting the review into the use of police resources at protests? Will the results of the report be made public? When is it due to finish? Is one purpose of the review to reveal that peaceful and nonviolent protests do not need to occur under heavily armed police guard?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:31):** I thank the member for her question, which was actually four questions—well done; I appreciate the effort. The Cabinet Office is conducting the review and the finalised report will be presented to the Cabinet for consideration. The report is expected to be completed over the coming months, so it is not a long way into the future. Given the Premier's review is being done through the Cabinet Office, the decision about whether it will be released to the public is a matter for the Premier, which I am sure he will consider as a result of the member asking the question.

### TRANSPORT FOR NSW EVENT POLICY

**The Hon. SCOTT FARLOW (11:32):** My question is directed to the Minister for Roads. The reported risk assessment for the end-of-year event, which incorporated input from Transport for NSW, was that it had a low to medium risk. Given the extent of the serious injuries sustained by a woman attending the event, how can we trust the assessment from Transport for NSW?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:32):** I thank the member for his question. I do not accept the way the matter has been characterised. It was not a risk assessment from Transport for NSW. The issue is that the Opposition is trying to blur the lines between who is accountable for the worksite at the time. One of the key principles in dealing with the safety management of those worksites is very clear accountability for who is in charge at a particular time. It is simply a fundamental principle of managing big projects. A major contractor was appointed, entirely appropriately, under the former Government. They are accountable for the worksite and what happens on it: They are accountable for what is approved, they are accountable for seeking approval for any activities on the worksite, and they are accountable for keeping people safe on that worksite.

The blurring of the lines to try to suggest that it was, in fact, Transport for NSW that was accountable is entirely inappropriate. That is the opposite of what members should be doing. The contractor was accountable. They should have sought those approvals, but approvals were not sought. Had they been sought, they would not have been granted. That is the system, and it is important that the Government reinforces that that is how the system works. That is exactly what the Government has done: reasserted that principle with Transport for NSW. Transport for NSW had already indicated in a number of letters to the contractor that that was the case. Transport for NSW has also done that publicly, as is appropriate. It is a very important principle that members do not blur the lines about accountability. Approval was neither sought nor granted, nor could it have been granted by that individual.

**The Hon. SCOTT FARLOW (11:34):** I ask a supplementary question. I thank the Minister for his answer. Is the Minister seriously contending that Transport for NSW, and ultimately the Minister, is not ultimately accountable for transport construction sites across New South Wales if a private contractor is involved?

**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):** The honourable member is right to ask the question in the first instance but, given my answer, I think it is irresponsible to continue to blur the line. It is very important that members are clear about what the accountabilities are. It is the contractor's responsibility to keep people safe on the site. That is why they have been formally marked down through the process. That is why they have been the subject of actions by Transport for NSW. Members of the House should support that action, given the importance of asserting that New South Wales workplaces and active projects are not places for such events.

**The Hon. MARK LATHAM (11:35):** I ask a second supplementary question to elaborate on the responsibilities of Government that the Minister outlined. When did the Government become responsible for gusts of wind on its property? Has the Minister reviewed the umpteen events the former Government ran celebrating the topping out of hospitals and other construction projects, where the drinks flowed? I am sure they could have been affected by gusts of wind.

**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 honourable member for his question. I am not aware of other events, but I am open to them being drawn to my attention. I reiterate that it is a very serious issue. These are big projects and safety is very important. We actually need the safety systems in the State, which are very strong in New South Wales, to be appropriately applied. They were not in this instance. Approvals should have been sought. The event should not have occurred. Let me put it as plainly as that. We need to reinforce those systems. That is the focus of the Government. I was obviously concerned when the event was brought to my attention, but we need to make sure that safety systems are focused and working across New South Wales. However, I thank the honourable member for his interest.

#### ECUMENICAL PATRIARCH BARTHOLOMEW

**The PRESIDENT:** I welcome to the Parliament students from Oxley College in Bowral who are participating in the Legal Studies and Legislature Program conducted by the Parliamentary Education team.

**The Hon. MARK BUTTIGIEG (11:37):** My question without notice is addressed to the Minister for Finance. Will the Minister update the House on the recent visit of His All Holiness Ecumenical Patriarch Bartholomew to Australia?

**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. I also extend my welcome to the students in the gallery today. New South Wales and the New South Wales Government has been incredibly fortunate to host His All Holiness Ecumenical Patriarch Bartholomew.

**The Hon. Damien Tudehope:** Does he agree with the equality bill?

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

**The Hon. Greg Donnelly:** Point of order: A comment that I think is well below the dignity of the Leader of the Opposition in this House was clearly audible and designed to be placed on *Hansard*. I respectfully request, Mr President, that you invite him to withdraw it so that *Hansard* records it has been withdrawn.

**The PRESIDENT:** I did not hear the comment that was made. If the Leader of the Opposition is of the mind that there is an issue, I would be grateful if he would withdraw it. But, as I say, because I did not hear it, I find it difficult to rule on the point of order at this stage. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** As I was saying, New South Wales was incredibly fortunate to receive a visit from His All Holiness the Ecumenical Patriarch Bartholomew. The Ecumenical Patriarch is a position that dates back to the sixth century and historically belongs to the Archbishop of Constantinople.

[*Opposition members interjected.*]

**The Hon. Emily Suvaal:** Point of order—

**The Hon. COURTNEY HOUSSOS:** This is a disgusting display from those opposite.

[*Opposition members interjected.*]

**The PRESIDENT:** Order! A point of order has been taken. The Hon. Emily Suvaal will be heard in silence.

**The Hon. Emily Suvaal:** My point of order is in relation to the number of interjections from Opposition members, which are utterly disrespectful, particularly given the substance of the question. They continue as I take the point of order.

**The PRESIDENT:** I remind all members that interjections are disorderly at all times. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I will again begin the answer to the question from the honourable member, who asked me to update the House about a very significant community event that those opposite are treating with an incredible level of disrespect.

**The Hon. Stephen Lawrence:** Point of order: I take essentially the same point of order as that of the Hon. Emily Suvaal. The Minister is fielding a question about meeting, in her official capacity, with a very important dignitary. The interjections have continued. They ought to stop, or members opposite should be called to order.

**The Hon. Sarah Mitchell:** To the point of order: In her response, the Minister reflected on Opposition members, saying that we were being disrespectful to the content of her answer, which we were not. Our question is whether this actually relates to the Minister's portfolio, which is what she is meant to be answering questions on. She was inciting commentary from Opposition members with her contribution.

**The Hon. COURTNEY HOUSSOS:** To the point of order—

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

**The PRESIDENT:** Order! There is too much audible conversation in the Chamber. We will proceed in an orderly way. The Leader of the Government has the call.

**The Hon. Penny Sharpe:** Interjections are disorderly at all times. I could hear what Opposition members were saying; I am not sure that you can, Mr President. If they wish to take a point of order, they should take it and not spend the entire time interjecting when the Minister is answering a question.

**The Hon. COURTNEY HOUSSOS:** In relation to the point of order, if members opposite showed a little respect to the House and to the person who is the substance of this question, they would understand—

**The Hon. Natasha Maclaren-Jones:** That is not a point of order.

**The PRESIDENT:** Order! That is not for the Hon. Natasha Maclaren-Jones to decide. I call the Hon. Natasha Maclaren-Jones to order for the first time. The Hon. Courtney Houssos has the call.

**The Hon. COURTNEY HOUSSOS:** —that a visit by an individual of this nature is attended by a number of Ministers in an official capacity and is therefore relevant to their portfolio responsibilities. Former Ministers should be able to understand that.

**The PRESIDENT:** That is not relevant to the point of order that has been taken, which was about interjections. It raises a point concerning the substance of the interjection, but that was not taken as a point of order. I uphold the point of order, which is that there are too many interjections. Interjections will cease. Are there any further points of order?

**The Hon. Jacqui Munro:** Point of order: Standing Order 64 states:

Questions may be put to Ministers relating to public affairs with which the Minister is officially connected, to proceedings pending in the House, or to any matter of administration for which the Minister is responsible.

I contend that this is a matter for, perhaps, the multiculturalism Minister or the Minister representing that Minister in this House, or the Premier through the Leader of the Government in this House, rather than the Minister with portfolio responsibilities of Finance and Government Procurement.

**The Hon. Daniel Mookhey:** To the point of order—

**The PRESIDENT:** I do not need to hear further on the point of order. The Minister has explained that she met with this gentleman in her official capacity—that is, relating to public affairs with which the Minister is officially connected. The question is in order. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I update the House about an incredibly important visit from His All Holiness the Ecumenical Patriarch Bartholomew. The Ecumenical Patriarch is visiting Australia as part of the 100-year celebrations of the Greek Orthodox Church in New South Wales. I pay tribute to His Eminence Archbishop Makarios of Australia and the incredible efforts he has made to celebrate this momentous occasion for the Greek Orthodox community across New South Wales, as well as his efforts in his capacity as the

Archbishop of Australia to bring together the Greek community and, indeed, the Australian community since he took up that role in 2019.

This is the second visit of the Ecumenical Patriarch Bartholomew to Australia. He is an internationally renowned figure in promoting interfaith dialogue, peace and environmental issues. He has worked tirelessly for reconciliation amongst Christian churches, has advanced Christian and Muslim relations, and has met with Muslim and Jewish leaders in efforts to promote mutual respect and religious tolerance. It was an extraordinary privilege for the people of New South Wales to host such a visiting dignitary. During his time in Australia, he has attended a large number of events, with thousands of people in attendance.

I seek leave for an extension of time, given the extensive points of order taken at the beginning of this answer.

**Leave not granted.**

#### **BYRON BAY WILDLIFE HOSPITAL**

**The Hon. EMMA HURST (11:45):** My question is directed to the Minister for the Environment. Byron Bay Wildlife Hospital is a charitable organisation that provides free veterinary care to injured and sick native animals across New South Wales. Despite native animals being the responsibility of the State, Byron Bay Wildlife Hospital receives no ongoing funding from the Government and relies almost entirely on charitable donations. Recently it has hit a breaking point and has had to temporarily suspend its operations due to staff shortages and its overwhelming case load. I understand that the organisation received a small amount of funding a while ago. Will the Government commit to providing the necessary ongoing funding to support Byron Bay Wildlife Hospital to continue treating and rehabilitating native animals, and if not, why not?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:46):** I thank the honourable member for her ongoing interest in this issue. Native wildlife care is a real challenge. Fantastic people across this State are involved in caring for injured and unwell wildlife. Many volunteers do it through a range of organisations. There is a range of wildlife hospitals. I have been very fortunate to meet with and visit many of them, and Byron Bay Wildlife Hospital is one of those. There is a challenge in relation to the funding of those organisations, which tends to be sporadic. It is often off the back of fundraising as a result of bushfires, for example, where they are able to raise a lot of money. That is why I have asked the Parliamentary Secretary for the Environment, the member for Blue Mountains, to review the issues associated with funding and how we look after wildlife.

That does not fix the problem for Byron Bay Wildlife Hospital. I have met with Byron Bay representatives on numerous occasions. The Government has provided some funding to them. I know it is not as much as they would like. We do not have unlimited funds, but we are trying to work through those issues. I agree that there is a problem in the way that we fund wildlife care. Labor made some election commitments in some areas—for example, the koala hospitals in Campbelltown and Port Stephens. The Government has also provided funding to Friends of the Koala in Lismore and the Northern Rivers Wildlife Hospital.

There is some funding but the challenge is that it is sporadic and not coordinated or thought through in terms of where we are heading. What is the network of support for wildlife care? How does that work best, given that the vast majority of people who care for wildlife—WIRES and other organisations, individual rescue groups, the people who look after bats, the people who look after reptiles—are specialist groups? We need to find a better way. It is too competitive for the groups that are doing this work, and there is no coherence to that. That is what the wildlife thing is about. I am happy to talk to the Byron Bay Wildlife Hospital, as my office has done extensively. We will continue to do that, and we will work through these issues.

**The Hon. EMMA HURST (11:49):** I ask a supplementary question. I thank the Minister for her answer. In that answer, she mentioned the review by Trish Doyle, a member in the other place. Given that this situation is quite urgent, does the Minister have a timeline for when that review will be completed so that people working in this space might have an idea of when we can get some answers?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:49):** It is not imminent. Ms Trish Doyle is doing the work, and I think it extends into next year. The timeline is not close in terms of finalising that. The member is making some visits and having meetings with people. I am happy to make a commitment, but I would need to check with my office first. I know that the Byron Bay Wildlife Hospital talks to my office a lot. We will see where we are up to with those conversations. I do understand this. I am not trying to make light of the situation, but I will not say that we have unlimited funds to fix these issues. I deal with all the different wildlife groups, and they are all challenged in a range of ways. It is a tough gig. We are trying to fix it. That does not provide a short-term solution, but we will try to get there. Obviously, I am always happy to talk to the Byron Bay Wildlife Hospital.

### TRANSPORT FOR NSW EVENT POLICY

**The Hon. CHRIS RATH (11:50):** My question is directed to the Minister for Roads. Noting that the Sydney Gateway was a major construction project, who was the most senior officer of Transport for NSW directly involved with the project managers, and what knowledge of and involvement did that officer have with the tragic end-of-year event?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:51):** I thank the member for the question. It is a difficult question to answer in that Transport for NSW will have had a range of engagements with the project at a very senior level, from the secretary down. I have taken on notice the question that was asked by the shadow Minister about when the secretary became aware of that incident, and I will provide an update to the House on that matter.

There will have been a range of engagements with the project right up and down the chain of seniority in Transport for NSW. The specific team member who has been referred to was a mid-level safety manager who was involved in the project team. That is the reference made publicly about that particular event, if that is what the member is asking about. That person, I am advised, did attend the event. That was obviously inappropriate given that the event was not authorised. I state that for the record.

### RECREATIONAL FISHING

**The Hon. STEPHEN LAWRENCE (11:52):** My question without notice is addressed to the Minister for Agriculture. Will the Minister update the House on how the New South Wales Government is continuing to support recreational fishers?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:52):** I thank the Hon. Stephen Lawrence for that very important question. I have spoken a lot about the Government's support for recreational fishers in New South Wales. There are so many recreational fishers across the State, and they are very passionate about their pastime. The Government is very passionate about supporting better access, better equipment and better availability of recreational fishing opportunities for recreational fishers across New South Wales—as am I as the Minister responsible for Fisheries.

Fishing is fun for people who partake in the activity, and we want to make sure that it can be even more fun and more accessible for people of all abilities across our waterways in New South Wales. A lot of passionate members in this place are very committed to fishing, including the Hon. Mark Banasiak, who regularly raises issues of better access and better facilities for recreational fishers. I will certainly continue to work closely with him to deliver those.

Recreational fishing is a very powerful economic stimulus for regional communities, and supporting recreational and commercial fishing is a vital part of the Government's regional economic development strategy. Over 400,000 people in New South Wales pay fishing licence fees or fishing fees. In fact, over a million people participate in that recreational activity across the State. Of course, there are people who are exempt from having to pay those fees, but the recreational fees from 400,000-plus people equate to \$80 million a year.

Today I was delighted to announce some of the grant funding that has come out of the Recreational Fishing Trust, which I have recently had the opportunity to approve, to make sure that we are providing those additional recreational fishing facilities and other supports for the sector out of the Recreational Fishing Trust funds. I am very determined to make sure that we put as much as possible of the fees paid by recreational fishers directly into supporting the pastime and activity that they enjoy, as I do.

The announcement made today includes \$5 million for improving access and establishing offshore artificial reefs in Coffs Harbour and Ballina. Artificial reefs are very popular. There is \$3 million for fish care volunteers, school education and fishing workshops. There is \$3 million for research and monitoring programs, \$3 million for detecting and preventing illegal fishing and protecting fisheries resources, and \$2 million to restore and improve fish habitat and boost the stocks of our native fish and marine species. The Government will continue to support recreational fishing as long as I am the Minister.

### STEVE MCMAHON

**The Hon. MARK LATHAM (11:55):** My question is directed to the Leader of the Government, representing the Premier. I refer the Leader of the Government to the ICAC ruling in the case of Gladys Berejiklian, where she engaged in corrupt conduct by "advancing her close personal relationship with Daryl Maguire, which could have the potential to influence the performance of her public duty". Does the new ICAC standard not also apply to Premier Chris Minns in his close personal mateship with Steve McMahon? In

October last year, Mr McMahon received a meeting—a supposed meet and greet—with the Premier within three days. Then, within a week, he received Cabinet Office assistance and advice about a project. A month later, the Premier gave unprecedented public support for Mr McMahon's proposal to sell Rosehill racecourse. At every step of the way, the Premier helped Steve McMahon with his remuneration and career path at the Australian Turf Club.

**The Hon. Stephen Lawrence:** Point of order: I do not have the entirety of the question in my mind—it was quite lengthy—but it seemed to contain a reflection on a member of Parliament other than by way of substantive motion.

**The Hon. Mark Latham:** To the point of order: It is unusual for a member who has not got the question in his mind in full to take a point of order. Obviously, members can ask about ICAC rulings and their application to matters of current affairs.

**The PRESIDENT:** I will allow the question on this occasion. The Leader of the Government has the call.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:57):** The question also asked for a legal opinion—but here we are. I totally reject the premise of the question. If the member has allegations that relate to the Premier, he should refer them to the ICAC. The Hon. Mark Latham is involved in the inquiry into the proposal to develop Rosehill racecourse, and a lot of work is being undertaken. There is not one skerrick of evidence or any suggestion that this Government or the Premier have done anything wrong when it comes to Rosehill. I accept that that inquiry is ongoing. I am not a member of the inquiry so I will not go into the details—I am not across those details. But I make the point that there is a full and transparent process. There is an unsolicited proposal, and all of the rules have been followed in relation to it.

I know that the member is very much against the sale of the Rosehill racecourse, and that is fine. However, the point is that the Government has supported the opportunity at Rosehill to build 25,000 houses on the river, close to transport, in a good position in the centre of Sydney, that will make a big dent in the housing crisis. That is what the Government is open to, and it is therefore going through the process of an unsolicited proposal. Members opposite know that is a fairly rigorous process, and that it is very transparent. If the member has allegations to make about the Premier, or has a view about what the ICAC's view should be, it is up to him to make a referral. I think it would be a waste of time, frankly, but it is absolutely up to him to do that. The Premier has nothing to hide. He has done nothing wrong. He is doing his job to try to deal with the housing crisis that this city faces.

**The Hon. MARK LATHAM (11:59):** I ask a supplementary question. Will the Leader of the Government elaborate on her answer regarding the Premier's role in the sale of Rosehill? In late October last year, why did the Premier not tell the Australian Turf Club [ATC] that he could not meet with Mr McMahon because it was obvious that his friend was being sent to unduly influence him through their close personal relationship? The Premier should have instead met with the ATC CEO, Matt Galanos, who would have been treated in a different and less favourable way.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:59):** I reject that altogether, and I will not elaborate. The Premier has done nothing wrong. All of his disclosures are open. There has been significant attention directed at this. Members should wait to see where the inquiry goes and stop throwing mud in relation to these matters. If the member has an allegation of improper behaviour he should make the proper referrals.

#### TRANSPORT FOR NSW EVENT POLICY

**The Hon. NATASHA MACLAREN-JONES (12:00):** My question is directed to the Minister for Roads. Was any disciplinary action taken against any officer of Transport for NSW in relation to the involvement in the risk assessment for or any other aspect of the end-of-year event at Sydney Gateway and, if so, was it taken before or after media inquiries?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (12:00):** I thank the member for her question. It is a good question on the detail of this issue and the member is entitled to ask about it. I will take the question on notice along with the other details about the date on which the secretary was aware of the issue. I am advised that Transport is willing to set out the authorisations, both for the individual and for the event, for the House. I will take the question on notice in the usual way, but it is an entirely appropriate question. I will also make clear a couple of points of principle.

Firstly, I reiterate that it is inappropriate that a staff member was at the event, given that it is inappropriate that the event occurred. The event should not have occurred, and therefore a staff member from Transport, whether

they were a member of the project team or a mid-level safety manager, should not have been there. Secondly, I note the processes within Transport that I have talked about, including the event authorisation process. Event authorisation should have been asked for, but it was not. If it had been asked for, it would not have been approved. Secondly, there is also a process relating to the staff involved. Given the importance of keeping a separation between contractor responsibilities and Transport responsibilities, there is a process to deal with staff members who intend to attend a contractor event. Transport staff are not permitted to attend contractor events without express permission and disclosure. Those two steps must occur.

The member has asked if those processes occurred and what the consequences were. I do not have that information in front of me, so I cannot answer the question without taking it on notice. However, it is appropriate for me to seek further information and return to the House through the normal processes. Members are entitled to ask about this event. I make the point again that this was a terrible incident in which someone has been very seriously injured. I think that all members of the House would say that our thoughts are with that person. The incident should not have occurred because this event should not have occurred. It is important that both the Government and this House reiterate that point to avoid something like this happening again.

**The Hon. NATASHA MACLAREN-JONES (12:03):** I ask a supplementary question. The Minister has indicated that he will take the question on notice. Will the Minister give an undertaking to provide that answer before question time tomorrow?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (12:03):** I have indicated to the House that I will take the question on notice in the usual way. I will need to speak to Transport before I give any assurance about the timeline. I am happy to follow the usual forms of the House.

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

#### *Supplementary Questions for Written Answers*

#### **TRANSPORT FOR NSW EVENT POLICY**

**The Hon. NATALIE WARD (12:03):** My supplementary question for written answer is directed to the Minister for Roads. When did any senior officer at Transport for NSW first become aware of plans to hold an end-of-year party at the Sydney Gateway construction site on 9 December 2023, and when did they first become aware of the safety incident which resulted in serious injury at this workplace?

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

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

**The Hon. NATALIE WARD:** I move:

That the House take note of answers to questions.

#### **TRANSPORT FOR NSW EVENT POLICY**

**The Hon. NATALIE WARD (12:04):** It is astounding to me that we have had to ask numerous questions on the Sydney Gateway incident today. I would have thought that this Government, which was so vocal about transparency and accountability prior to the election, would have taken the opportunity to be up-front and explain to this House what on earth happened. I would have thought that the opportunity to make a ministerial statement informing the House of the Government's grave concerns about the safety of this worksite would have been paramount. The Government is all about workers' safety and ensuring transparency and accountability, but we have seen none of this despite asking question after question. These are serious questions. They are not just a matter of blowing in the wind.

A serious amount of scaffolding fell on a guest and injured her. She was sent to hospital for weeks and her spine has been fused. While we would love there to be no accidents, I would have thought that we would have an explanation of why on earth a James Bond themed party was being held at the Sydney Gateway construction site in the first place. At a time when families are facing very serious issues, Transport is running around and throwing parties at the Sydney Gateway construction site. The department is taking credit for a whole lot of things but not taking responsibility for what it should be doing, which is ensuring the safe delivery of these projects. Transport staff should be focused on the people of New South Wales and not themselves and their party zone. Opposition members have asked questions about this. What did Transport secretary Josh Murray do during this time? When did he know? Does the Minister seriously stand by his comments that he only knew weeks or months after the event and after media reports?

Surely somebody in Transport picked up the phone to Josh Murray, to the Minister or to somebody else to say, "We have had a problem on this site." After all of the Minister's protestations, when he was in opposition, about the Westminster system and transparency and something to the effect of "When the department knows the Minister should know", he has clearly changed his position. His position has evaporated overnight now that he is in government. There are some very serious questions here. Opposition members are trying to understand how on earth the Minister can seriously say, "It wasn't our responsibility to check, and nobody knew, but having done so we have nothing further to add."

This is why we have asked further questions. When did the secretary first become aware of this end-of-year party? When did this so-called mid-level officer report that something serious had happened? When was it known that officials attended the party? Did Josh Murray attend the party himself? We know that he has form; he attended the election night party at Chris Minns' house. Did he pop into this one as well, to celebrate the great construction that the former Government delivered? We will continue to ask questions about this. In the great words of Walt Secord, we will continue to ask about the cover-up. [*Time expired.*]

#### STEVE MCMAHON

**The Hon. MARK LATHAM (12:07):** I take note of the answer given by the Leader of the Government regarding the role of Chris Minns in the Rosehill project. She advised me to raise the matter with ICAC. During the most recent round of budget estimate hearings, I did raise it with John Hatzistergos, who usefully referred me to the ICAC guidelines on direct dealing. The Premier has breached the guidelines seven or eight times, and it will be a matter for further investigation and report by this Parliament. There are parallels between the ICAC findings on the Gladys Berejikian and Daryl Maguire relationship, and the Chris Minns and Steve McMahon relationship in relation to Rosehill.

ICAC found that Ms Berejikian had "engaged in serious corrupt conduct" by breaching public trust in making certain government grants to Maguire's electorate without disclosing her close personal relationship with Maguire. She had a conflict of interest between her public duty and her private interest in maintaining or advancing that close personal relationship. This is now the standard ICAC assessment of corrupt conduct by New South Wales Premiers, and one that Chris Minns would have been fully aware of months prior to his meeting on 30 October with Steve McMahon. Given Ms Berejikian's troubles with Mr Maguire, it was reckless indeed for the new Labor Premier to meet with Mr McMahon on such a big project.

Minns would have known that something this significant would make or break McMahon's reputation and career path at the ATC. If successful in selling Rosehill racecourse, McMahon would be marked out as the next CEO; if unsuccessful, his reputation as a Labor-aligned man of influence would suffer badly. One can only assume that Minns agreed to the meeting on 30 October because he did not want his friend to fail or to appear politically impotent at the ATC.

More curious was the fact that the purpose of this meeting was not listed publicly as being to discuss the sale of Rosehill racecourse, but instead as just a "meet and greet". Why would the Premier want to meet and greet someone he has known for 20 years? In budget estimates 2023-24, the Leader of the Opposition asked the Premier about his relationship with McMahon. The transcript reads:

**The Hon. DAMIEN TUDEHOPE:** He's a mate of yours, is he not?

**Mr CHRIS MINNS:** I have known him for a long time, that's right.

Clearly it was not a meet and greet with an old mate, but a discussion about Rosehill that should have been disclosed. The ICAC guidelines about direct dealings state that officials should be suspicious of those who seek to hide the true purpose of meetings. That was the case with the 30 October meeting that the Premier agreed to. The political relationship between Minns and McMahon in the St George district is well known and documented. This relationship certainly had the potential to influence the Premier's public duties in late 2023. Only a Labor mate like McMahon could have landed a meeting with the Premier within a few days, been sent immediately for Cabinet Office assistance, received an unsolicited proposal recommendation within a fortnight and then, 12 days after that, been working on the press release for the sale of Rosehill racecourse. Of course, McMahon was also at Rosehill racecourse on 6 December when his mate Chris Minns and his boss, Peter McGauran, announced the sale—the crowning moment of McMahon's career. [*Time expired.*]

#### HEALTH INSURANCE LEVIES

#### ECUMENICAL PATRIARCH BARTHOLOMEW

**The Hon. EMILY SUVAAL (12:10):** I take note of answers given by the Treasurer about the racketeering that is going on in our private health insurance industry. We heard the Treasurer say today that the big four insurers need to pay their bills when it comes to public hospitals. They are costing the New South Wales taxpayer



\$140 million per year. I acknowledge the 44 funds out of 53 that are doing the right thing. These include Teachers Health, Nurses and Midwives Health, and Emergency Services Health. The money that is being robbed by the big four funds from our public health system could be used to hire up to 1,000 additional nurses, to build a new rural hospital or to reduce the elective surgery waitlist by thousands of patients.

Every dollar being ripped out of our public health system by private insurers is a dollar that should go to patient care, new hospitals and hospital staff. These big four insurers occupy some 74 per cent of the market share and have recorded record profits over the same period of time that they have been gouging and robbing the New South Wales public health system. I join with the Treasurer in calling on them to pay their bills, like all other insurers do. Noting that they are paying record bonuses to their executives—one fund in the order of almost \$12 million—I urge them to pay their fair share to the State.

I also take note of answers provided today by the Minister for Finance. The Hon. Courtney Houssos is the first female finance Minister this State has seen. She is a senior Minister within the Minns Labor Government and someone who is doing an exceptional job within her portfolios. She is a Minister of the Crown. Members opposite took umbrage when the Minister was answering a question about matters that are directly relevant to and within her portfolios. I think it was an appalling misjudgement by them. I call on those members to apologise for the disrespect they displayed in today's question time.

### NSW POLICE FORCE AND PROTESTS

**The Hon. SUSAN CARTER (12:13):** I take note of answers given by Minister Sharpe, representing the Premier, in reply to questions relating to the progress of the review of police resourcing at protests. I note with interest her answer that the review will be completed "over the coming months"—essentially, that will be in a month of Sundays of protest after protest. We know the personal cost of these protests. We also know the financial cost of these protests, held during a cost-of-living crisis. We can quantify the cost of the protests that will take place in the month of Sundays before this review is complete.

The cost of policing repeat protests held to date could have been used to hire, for one year, 52 new teachers in our schools, which would have made a great impact on education. It could have been used to hire 56 additional paramedics to respond to emergencies. The money could have been used to hire 71 new nurses to ease the strain in our hospitals. It could have been used to hire 69 new police officers which, apart from anything else, would have taken overtime strain off of the existing officers who are being called out after hours to police these protests, and who will continue to do so for a month of Sundays while we wait for the outcome of the review.

With the money expended on police resourcing of protests, we could have paid for 113 Service NSW frontline staff, which would have made a tremendous improvement to queues and to the needs of citizens across the whole of New South Wales, who deserve to be respected as well. This money could have funded 84 bus drivers. I am sure that those people who travel on the pink buses in south-west Sydney would appreciate a more frequent service while the trains are suspended. It could have paid for 84 more train drivers. Importantly, it could have funded 63 more child protection workers for a year, to safeguard the most vulnerable in our society.

That is the true cost of the protests that, apparently, the Cabinet Office and the Premier will need a month of Sundays to investigate. Even then, we have no guarantee that the results of the review will be shared with the people of New South Wales. The Premier framed the question; the Premier knows the answer. He knows the impact that this budget spending is having on the cost of living for everybody in New South Wales and on depriving people of access to services. The Premier should act now.

### HEALTH INSURANCE LEVIES

**The Hon. CAMERON MURPHY (12:16):** I take note of the answer given by the Treasurer about private health insurers paying their fair share. It is utterly outrageous of them to refuse to pay their bills to the State. Most private health insurers are doing the right thing—44 out of 53 are paying their bills at the correct rate of \$1.77 for a private room. There is no issue there. But the biggest four health insurance providers, which together make up 74 per cent of the industry, are refusing to pay what they have already agreed to pay to the State. These four insurers make the most profit in the industry.

Outrageously, in a climate when they are refusing to pay their bills, they want to increase premiums for ordinary people. They have put them up by double the inflation rate. At a time when households are in a cost-of-living crisis, these insurers want to increase their massive profits at the further expense of ordinary people who are paying for private health insurance. Who are they? They are HCF, NIB, Bupa and Medibank Private. They dominate the industry and will not pay what they have agreed to pay. As the Treasurer said, they should pay their bills. One of the four, NIB, increased its profit in the last financial year to \$274.5 million. Under the new accounting standard, that was an increase of 77.3 per cent. Under the old accounting standard, it was a 5.9 per cent increase for the 12 months to 30 June 2024.

Private health insurers are making massive profits. They are increasing their massive profits and they are seeking to do so at the expense of consumers by increasing premiums, but also at the expense of New South Wales by not paying what they agreed to pay to this State for using public hospitals. They should not be allowed to get away with it. They should be held to account. They should pay their fair share so that the State can reinvest that money into patients' care, nurses and into the frontline services needed in New South Wales. They should pay their bills and do that now. I look forward to the debate on this legislation when it comes to the House in the weeks ahead.

### HEALTH INSURANCE LEVIES

**The Hon. RACHEL MERTON (12:20):** I take note of the answer given by the Treasurer relating to health and hospitals. I take this opportunity to remind the Treasurer, the frontbench and the Minns Government of the state of public hospitals. I have seen the Blacktown Hospital. I have firsthand accounts. On an average day at the Blacktown Hospital, such as today, the emergency department is full. Up to 50 patients are waiting at any one time. Patients are sleeping on the floor. Patients are undergoing intravenous [IV] treatment in the emergency department. Members can read about this in the United Kingdom's *Daily Mail*, which has covered the story. Its disturbing images reveal the dire state of Australia's hospital system. Alarming pictures reveal where people are being forced to wait, images of women on the floor next to their bags, their goods and their belongings.

The response from the Premier is that the area has a burgeoning population. The Government will turn its attention to Blacktown Hospital because the Government wants to do better. Staff have provided direct feedback about this dire situation. The report from staff at the Blacktown Hospital today is that the situation is unacceptable and extremely dangerous. We have heard other reports about the norm at Blacktown Hospital being broken equipment and staff sharing a thermometer. Staff are waiting to access equipment before attending to patients. Treatment is commencing in the waiting room. The backlog is bad and so is the unmet demand. I remind the House of the situation in public hospitals exemplified by Blacktown Hospital. The situation is dire and beyond a crisis. It is unacceptable and extremely dangerous. I call on the Government to visit Blacktown Hospital to see the circumstances and talk to patients and staff. New South Wales deserves better.

### TRANSPORT FOR NSW EVENT POLICY

**The Hon. STEPHEN LAWRENCE (12:22):** I participate in the take-note debate specifically in relation to the answers given by the Leader of the Government when responding to the protest question. I listened carefully to the Hon. Susan Carter during her contribution to debate. I always listen carefully to her and enjoy her speeches, but I am sure she would have often reminded her students that they should clearly state the facts and the law and then answer the question. I was left with some real questions about the position adopted by the Hon. Susan Carter and the position of the Liberal Party more generally.

In saying that, it is entirely appropriate that a review has been ordered regarding the police resource question. Obviously a lot of money is being spent on policing what is probably the most significant anti-war protest movement in many decades. As a lawyer I think—and I am sure the Hon. Susan Carter agrees with me—that the question about charging protesters needs to be answered and considered through the prism of implied freedom, and the implied freedom of political communication recognised by the High Court indicates a few things. The first question is whether the law effectively burdens the implied freedom. I would have thought that charging people to protest is an effective burden. The second question is whether the purpose of the law is legitimate in the sense that it is consistent with maintenance of the system of representative government. Charging people to protest is a burden. Is making people pay for the cost of protest consistent with the maintenance of the system of representative government? On one view, only the rich can protest, and there might be a real question about that.

The third question is whether the law is reasonably adapted to achieve a legitimate purpose, which is a purpose consistent with the maintenance of the system of representative government. That is really the question that the Liberal Party needs to answer when people like the member for Cronulla in the other place say that we should change the law to charge people to protest. Undoubtedly, that would be a burden on the implied freedom. When the Liberal Party and the Hon. Susan Carter raise these matters without completely stating their point, it is really incumbent upon them to do so. Is what they are saying that people should be charged and civilly liable for the cost of protest? If so, is that an effective burden? That is the question stated by the High Court. Ultimately, is that a legitimate object of legislation in a free and democratic society? It is easy to throw these things around in the context of political arguments and make hay out of it, but we should act like legislators and address our minds to legal questions. Frankly, unless we do, it is just a load of bunkum. [*Time expired.*]

### TRANSPORT FOR NSW EVENT POLICY

**The Hon. DAMIEN TUDEHOPE (12:25):** I take note of the variety of answers given today by the Deputy Leader of the Government relating to the incident that occurred at the Christmas event party in December

2023 at the Gateway project. The Minister seems to be suggesting that this incident is entirely the responsibility of the contractor—"Nothing to see here; not us." I am sorry, but ministerial responsibility cannot be fobbed off like that. Ministerial responsibility is in fact: I am the Minister for Roads and I have a project delivery team that is part of Transport for NSW. I am the Minister responsible for the delivery of those projects. Ministerial responsibility extends to the manner in which the department is conducting its project delivery responsibility. If the team is not delivering, in those circumstances there is a ministerial responsibility to give explanations for the manner in which the contractor and the project delivery team have performed their duties.

Being a Minister is not just about opening projects. A Minister is also responsible for delivery of the projects during the continuity of the project. Whether or not a private contractor is involved, that does not allow a Minister to walk away from the site and say, "It's their problem. I don't have enough eyes on that. Transport for NSW didn't have enough eyes on that." The people of New South Wales are entitled to ask, "Why not?" Where was Transport for NSW in relation to this incident? Where is the investigation report? Where is the manner in which a risk assessment was conducted by an officer from Transport for NSW? What are the implications of that person not only carrying out a risk assessment but then attending the party? We should also know who else from Transport for NSW was at that same party.

A serious incident occurred. It is just not good enough for a Minister to come to this place and say, "Nothing to see here. I don't know. We've passed responsibility for the site to a contractor. It's their problem. They are being investigated. I don't have any responsibility for it." That is not good enough. The Minister for Roads should accept responsibility for what occurred.

### HEALTH INSURANCE LEVIES

**The Hon. MARK BUTTIGIEG (12:28):** I could not let the contribution made by the Hon. Rachel Merton to this debate go unchecked in respect of the allegations regarding Blacktown Hospital. I acknowledge that there was a recognition that the State needs to do better out there—of course we do—but for those opposite to lambast the Government and its record after 18 months and pretend that somehow the problems fell from the sky when Labor was elected is breathtakingly hypocritical and simply a misstatement of the contextual facts.

Those opposite were in power for 12 years. During that time they let the health system run down, primarily by not allowing frontline workers to get a decent wage rise. Let me remind the House that the wage freeze and wage cap that they instituted resulted in nurses leaving New South Wales hand over fist and not wanting to work in the system, not to mention ancillary hospital workers and paramedics. It has taken this Government to lift the wages cap, negotiate with those unions, which know our hearts are in the right places when it comes to rewarding frontline workers and acknowledging their contribution during COVID. They are the same unions that that those opposite bash. I am surprised that they did not bash the unions this week, as they normally do. They have left it alone. Maybe they will do it next week.

Those same unions that they bash day in, day out have successfully negotiated with this Government for wage increases that make the increases of the past 12 years look paltry, which they were. The increased wages have boosted retention rates, so instead of building hospitals with no-one to staff them, the New South Wales Government is now putting the health system back on track by making sure those frontline workers want to do the job that they are dedicated to. It beggars belief that they would try to attack us for maladies in the health system without providing that context and without admitting that they let the side down during the worst health crisis in our history by not rewarding those frontline workers. It is our job to fix it now. It is our responsibility; we are in government and we will do it. After all we have done to put the health system back on track in the past 18 months, the people of New South Wales can see right through the efforts of those opposite when they try to ascribe blame to us.

### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (12:31):** I close the take note debate today. I reflect that we saw a remarkable display from the Opposition during question time. It is true that I was asked perhaps a slightly unusual question because I sought to place on *Hansard* a record of the historic visit from His All Holiness Ecumenical Patriarch Bartholomew to New South Wales. The disrespectful display from those opposite really speaks to their lack of judgement. I am happy to have a robust debate on political issues in this place but on issues like this we can usually come together and show respect, in this instance to not only the Greek community but also the broader community of New South Wales that we represent. I will use my time to simply place on the record a few more details about the remarkable individual, His All Holiness.

His All Holiness Ecumenical Patriarch Bartholomew is an incredibly studied individual. He has done years of study and holds several doctorates and honorary doctorates. He speaks Modern Greek, Turkish, Italian, German,

French and English. He is also fluent in Classical Greek and Latin. As someone who has struggled to learn Greek for more than a decade, that is a pretty remarkable personal achievement. He is a published author and he is an amazing person in his own right. As the spiritual leader of the Orthodox Christian world, he is a deeply significant figure and it is such a privilege for the people of New South Wales to be able to host his second visit as the Ecumenical Patriarch. He informed us that it was his fourth visit to Australia—he had visited prior to taking on that role—and indeed the Greek Government understood the significance of this visit so much that it sent its Deputy Minister of Culture to accompany the Ecumenical Patriarch. I also acknowledge the work of the Greek ambassador to Australia and the consul-general here in Sydney to facilitate the visit.

During his visit, the Ecumenical Patriarch attended a number of public events and a large number of private events, but in particular I want to speak about some of the public events that occurred. There was an official doxology service on Saturday 5 October, which was attended by the Prime Minister, the Assistant Minister for Immigration, the Hon. Matt Thistlethwaite, and the Governor of New South Wales, to officially reopen the cathedral in Redfern. It was an absolutely beautiful service and a real privilege to be part of the celebrations on that day. There was also a divine liturgy service that was attended by the Premier, Minister Kamper, Minister Cotsis and me, and more than 9,000 members of the Orthodox faithful, including a large number of schoolchildren. It was a long service but to see so many members of the Greek community take the remarkable opportunity to participate in such a special event and to be a part of that was a real privilege.

There was also a dinner held at the International Convention Centre, where more than 1,500 people, including a range of local faith leaders, attended. The Federal Leader of the Opposition was there, as was Minister Cotsis, the member for Miranda and me.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The time for debate has expired.

**The Hon. COURTNEY HOUSSOS:** With the indulgence of the House, I sincerely thank the many people who facilitated the visit, in particular His Eminence Archbishop Makarios of Australia and Father Christophoros. It was a historic moment for New South Wales and a deep privilege for me and so many members of the community to be able to meet the Ecumenical Patriarch, an amazing figure. [*Time expired.*]

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The time for the debate has expired. The question is that the motion be agreed to.

**Motion agreed to.**

#### *Deferred Answers*

#### **REGIONAL ARTS**

In reply to **the Hon. WES FANG** (24 September 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:

The Booranga Writers' Centre submitted an application for annual funding in rounds 1 and 2 of the 2023-24 Arts and Cultural Funding Program. These applications were assessed by the Literature Artform Board, an assessment panel of independent non-government industry professionals.

Requests for funding are highly competitive and, on both occasions, the Booranga Writers' Centre was unsuccessful in its funding request.

Booranga Writers' Centre may consider submitting a funding application for the upcoming 4-Year Multi-year Funding program which opens on 23 October 2024, or the 2-Year Multi-year Funding program which opens in March 2025.

#### **ABORTION SERVICES**

In reply to **Dr AMANDA COHN** (24 September 2024).

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

I'm advised:

The SEARCH service model led by Family Planning Australia aims to build the capacity of local service providers in regional and rural New South Wales to improve access to affordable abortion care and long-acting reversible contraception services.

The three-year pilot project has been extended for two years in 2024-25 and 2025-26 (\$400,000 a year), to total funding of \$2 million over five years.

## NURSES AND MIDWIVES INDUSTRIAL ACTION

In reply to **the Hon. DAMIEN TUDEHOPE** (24 September 2024).

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

The Industrial Relations Commission wage fixation principles include consideration of gender and equal pay for equal work. With the abolition of the unfair wages cap, all workers are entitled to seek the assistance of the IRC.

The budget provides for a 10.5 per cent pay rise over three years for the State's essential workers. This comes on top of the 4.5 per cent pay rise last year, the biggest in over a decade. We have abolished the former Government's wages cap, which caused real wages to go backwards over the 12 years they were in office.

**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*

## BENGALI AND BANGLADESHI HINDU COMMUNITIES

**The Hon. ANTHONY D'ADAM (14:00):** On Saturday I attended the fifteenth annual Durga Puja celebration organised by the Australian Bengali Hindu Association. The event was held at Toongabbie Public School. Durga Puja marks the biggest celebration of the year for the Bengali Hindu community. Durga Puja celebrates the triumph of truth, righteousness and virtue over evil. It unites humanity, inspiring us to work tirelessly for unity and strengthen the bonds of our fraternity. So says the president of the Australian Bengali Hindu Association, Dr Samir Sarkar, who I thank for the warm welcome I received when I attended the celebrations on the weekend.

It was a joyous occasion full of music and dancing. It reminded me of how lucky we are in Australia to have such a rich multicultural society, particularly in Western Sydney where so many people from so many cultures have been able to make a home and enjoy the freedom to practise their religion and culture without fear of persecution or discrimination. For the Bengali Hindu community, that is particularly poignant at this time, as they watch with horror the situation in Bangladesh where the Hindu and other religious minorities have become the target of sectarian violence.

Following the political unrest on 5 August 2024, brutal attacks have been carried out across 68 of 78 districts and metropolitan areas of Bangladesh. According to Bangladesh Hindu Buddhist Christian Unity Council, a human rights organisation, 2,010 instances of communal violence occurred in just 16 days, directly affecting 1,705 families, including 34 indigenous communities. Their homes and businesses were looted, vandalised and set ablaze. Nine lives were lost, and 69 places of worship were attacked, desecrated and burned. Currently, 20 million religious and ethnic minorities are living in fear, with limited options: emigrate, convert or face death. Families are torn apart, and women and girls endure gender-based violence, including rape and forced conversions, because of their religious identity.

The decline of the Hindu population in Bangladesh is alarming. In 1951 Hindus constituted 22.05 per cent of the population in East Pakistan. By 1974 that had dropped to 13.5 per cent, and by 2022 it was only 7.95 per cent. The sharp decrease highlights the ongoing systemic persecution of the Hindu community. It has been described as a silent genocide. The Bangladeshi Hindu community in Australia is asking for the Australian Government to send a parliamentary delegation to investigate the violence against Hindus and other minorities; to collaborate closely with local representatives to ensure an impartial and transparent inquiry; and to work with international bodies to pressure Bangladesh to protect the rights and safety of Hindus and other minorities. Those are all measures that I support.

## POLITICAL TRANSPARENCY

**The Hon. CHRIS RATH (14:03):** It was only a matter of time before the public realised that the teals' claims of transparency and accountability are just empty words. Their actions do not match their rhetoric and just this week we saw another example. Teals like Jacqui Scruby, candidate for the Pittwater electorate, may have undermined public trust in an attempt to get elected at all costs. Jacqui Scruby has written several articles in a range of local papers to tout her background and history. In one of the articles she describes herself "as a local mum, lawyer and former small business owner". Even her webpage reads "as a local mum who has been a small business owner and lawyer". The only problem is that Scruby is not a lawyer, despite claiming to actively be one.

Do not just take my word for it. Take the word of the Law Society of New South Wales, who wrote in a letter dated 1 October 2024, "An individual with the name Jacqueline Scruby, nee Taylor, does not hold a current practising certificate issued by the council of the Law Society." That is an absurd breach of both public trust and ethical standards adhered to by lawyers. The Law Society of New South Wales notes that misrepresenting your

status as a lawyer can undermine the protection of the public and risks exposing members of the public to deception, as well as damaging the reputation of the profession.

It is even more ironic that this Climate 200 backed teal is in the same group that preaches truth in political advertising and rallies against misinformation.

**Ms Sue Higginson:** Point of order—

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

**Ms Sue Higginson:** I am compelled to take a point of order because the term "lawyer" is not limited—

**The PRESIDENT:** There is no point of order. That is a debating point. The member will resume her seat. The Hon. Chris Rath has the call.

**The Hon. CHRIS RATH:** Jacqui Scruby's former boss, fellow teal Sophie Scamps, repeatedly spoke about the need to combat misinformation and introduce integrity legislation. How can the public trust anything that Jacqui Scruby says if, even before she gets into Parliament, she is already bending the truth? A fact that we just do not like is not misinformation. Every day it is more and more clear that the teals are starting to show their true colours. For a group of people who profess more positivity, integrity and honesty in politics, the teal movement is in fact the most negative, underhanded and dishonest of all political movements. The teal veneer has become a stain on the teals' brand, and it demonstrates that teal politicians will only call for rules and standards to be enforced when it benefits them. Jacqui Scruby should do the right thing and apologise for repeatedly misleading her electors, and the people of Pittwater should make the right decision on Saturday and elect Georgia Ryburn.

### MENTAL HEALTH

**The Hon. TAYLOR MARTIN (14:06):** Last month I attended the Lifeline Australia launch of *Profiles in Hope* by John Brogden, AM, former Leader of the Liberal Party in the other place. John's first book is a powerful collection of 15 deeply personal Australian stories that break down the wall of silence and stigma around suicide and give hope to those in crisis. James Packer, Layne Beachley and Ian Thorpe are just some of the brave Australians who have chosen to talk openly about suicidal ideation, mental health and, importantly, recovery. Should any member pick up a copy—and I strongly urge them to—the story of Matt Caruana is particularly inspiring.

In Australia, almost nine people die by suicide every single day, which is roughly double the number of deaths in motor vehicle accidents. Suicide is the leading cause of death for people aged 15 to 44. Raising awareness is one thing. As a society, these days we are very good at raising awareness of mental health issues. What John and the contributors to the book are able to do now is cut through even further and directly address the issue of suicide, and assist others in having life-saving conversations. I have spoken before, in this place and elsewhere, about how suicidal ideation has impacted my life and those close to me. I have spoken briefly here about an instance where I was first on the scene and intervened to prevent one of my best friends who was mid-attempt, just a few years ago.

The pressures of modern life, messy interpersonal situations and isolation can lead to ideation and worse. The stories of the brave contributors in this book, and the work of Lifeline and John Brogden, are assisting greatly in this space to normalise conversations about mental health or what I find myself talking more and more about—mental injuries. If anyone had said to me when I was in my early twenties that I would be having these conversations, I would have been very perplexed. When I left university, I was in good physical health and great mental health, but I acquired what we could call a mental injury just a few years later. I manage that every day now, and the good days far outweigh the bad.

According to Lifeline, beyond the tragic loss of a person's life, the impact of a single instance of suicide is felt by up to 135 people. That includes family members, friends, co-workers and first responders. Moving from raising awareness to empowering people to address and prevent the damage done by suicidal ideation is a great service to our society. I thank John Brogden and all the contributors to the book. I encourage members to get a copy of the book and become familiar with the effort to take the stigma out of these tough conversations.

### DAVID TEMPLE

**The Hon. MARK BUTTIGIEG (14:09):** Modern workers have much to thank early unionists for, because they paved the way and built the unions that continue to protect us today. David Temple, a founding member of the Australian Workers' Union [AWU], is one such unionist. He was just 24 years old when he established the Australasian Shearers' Union in Ballarat, along with longtime mining unionist and later politician William Guthrie Spence. The year was 1886, and just five weeks after the union's formation in June, Temple had

brought in 1,500 members. By the end of the shearing season, the union had a staggering 8,000 members—a testament to Temple's leadership.

Temple acted to unionise local shearers faced with the slashing of shearing rates a few months earlier in April 1886. He personally funded notices in local newspapers inviting local shearers to attend a meeting. Temple also "got on" the doors to bring in more workers. A year later, in 1887, the Australasian Shearers' Union combined with shearer unions in Wagga Wagga and Bourke to become the Amalgamated Shearers' Union of Australasia. Temple was chosen as the general secretary, and William Guthrie Spence as the president. The union represented workers in New South Wales, Victoria and South Australia. It became Australia's biggest labour organisation, with 20,000 members in just three years.

In 1894, the Amalgamated Shearers' Union of Australasia joined the General Labourers Union and formed the Australian Workers' Union. Around that time, the Labor Party was also formed. In the aftermath of the maritime and shearer strikes in 1890 and 1891, unionists thought that they needed direct representation in politics to make real change for workers. David Temple strongly advocated for that. From the get-go, the AWU was instrumental in building the labour movement as we know it today. David Temple's story reminds us of the importance of workplace activism to effect real change.

Today, the AWU continues to grow, serving workers from many different industries. It surpassed its yearly goal of 20,000 members by May. In September, it had almost 20,500. That is compared to around 19,700 members in late 2023. I was inspired to make today's speech after seeing a post by the AWU marking the anniversary of Temple's death. It stated:

Temple is the example of how any Australian can bring a workplace together and fight for real change. And by honouring his memory, the AWU hopes to inspire to stand up and speak.

### COST OF LIVING

**The Hon. NATASHA MACLAREN-JONES (14:11):** I speak about one of the most pressing matters facing too many working families and individuals in New South Wales: the cost-of-living crisis. Families are struggling with increases in household essentials. Food, electricity, rent, insurance and petrol are all going up due to the inaction of the Minns Labor Government. Under Labor, average grocery bills are up by 5.1 per cent, petrol is up 8.1 per cent, and hardworking families are finding it harder than ever to make ends meet. Despite Labor's assurances of more jobs, we have seen quite the opposite. Unemployment is up by 22 per cent since Labor came to office.

In New South Wales, the cost-of-living crisis has reached unprecedented levels. The latest data from the NSW Council of Social Service [NCOSS] report highlights a widespread struggle across urban, suburban and regional areas. The NCOSS annual Cost of Living in NSW report, entitled *Impossible Choices: Decisions NSW communities shouldn't have to make*, highlights housing affordability as the most pressing issue, with 68 per cent of households experiencing housing stress. Shockingly, 27 per cent are in extreme housing stress, which means they are paying more than 50 per cent of their income towards housing costs. Rent increases are affecting 70 per cent of renters, while mortgage holders are facing rising repayments, leaving 35 per cent unable to meet their mortgage payments on time. Individuals and families cannot just pay less of their mortgage or ask that their rent be decreased. People cannot make those cuts without becoming homeless.

We are seeing a rise in social isolation and mental health issues due to financial strain, with households reporting reduced community participation and support. The crisis is not limited to housing. Food insecurity is rampant, with 44 per cent of households forced to skip meals due to escalating grocery costs. Across New South Wales, 68 per cent of households with children are reducing meals and 46 per cent admitted that they skipped at least one meal because of cost-of-living pressures, which are having developmental implications for children. One in five households are delaying early childhood education and 46 per cent of parents are not able to afford educational resources.

Healthcare access has been severely impacted. It is alarming that over the past 12 months, 74 per cent of participants went without health and wellbeing essentials, and over 50 per cent of families were unable to afford prescribed medications or necessary health care, leaving vulnerable populations at greater risk. Aboriginal households are disproportionately impacted. Cases of people going without essential hygiene items have risen by 66 per cent, and cases of people going without prescribed medication or health care have risen by 43 per cent. There is a huge impact across regional New South Wales compared to Western Sydney. In Western New South Wales, rent increases have affected 70 per cent of households. In the Southern Highlands, up to 77 per cent of households are affected. These genuinely alarming statistics are all under Labor's watch.

### CONSERVATIVE POLITICAL ACTION CONFERENCE

**The Hon. TANIA MIHAILUK (14:14):** I am delighted to take this opportunity to acknowledge the wonderful Conservative Political Action Conference [CPAC] that I attended over the October long weekend. This year the conference was held in Brisbane. It was an absolute pleasure to attend the conference and to meet so many like-minded, socially and economically conservative and passionate people. I have been to many conferences in my time, mostly for the Labor Party. It is such a big difference to go to a conference where people are not stabbing you in the back. When they ask you how you are, they actually mean it. They want to know your response.

It was a pleasure to meet such value-based people who believe in traditional values and family values, who care about Australia and our traditions. It was absolutely wonderful. I acknowledge and pay tribute to my very good friend Warren Mundine, AO, who is the chairman of CPAC. I thank him for his outstanding service to CPAC and his contribution to the conference. I also acknowledge Andrew Cooper, the CPAC founder and national director. It was an absolute pleasure to get to know Andrew. I thank him for his terrific work in ensuring that these conferences meet annually and bring in so many people from across Australia, along with international guests.

I acknowledge a number of executive members, including Lyndal Maloney, who works tirelessly behind the scenes, Gary Hardgrave and Ross Cameron. I acknowledge some special guests, including former British Prime Minister the Rt Hon. Liz Truss. She headed the conference and delivered a fabulous speech, and also launched her book, *Ten Years to Save the West*. She took the time to speak to people throughout the conference. I also acknowledge the many politicians who attended. Members of One Nation, the Libertarian Party and the Federal National Party were in attendance. Sadly, members of the Liberal National Party of Queensland were told not to attend, even though the conference was in Brisbane at the Sofitel. Never mind.

Some terrific sponsors were there. Sky News was also there. *Outsiders* was broadcast live on Sunday morning with Rowan Dean, James Morrow and Rita Panahi. That was excellent. I thank the organisers again. As I said, it was a great two-day event featuring terrific debates and discussions with conservative academics, members of the natural resources industry, and people who were there to talk about law and biology. That is fitting, given what we will debate in this Chamber over the next two weeks. I thank the CPAC organisers for their kind invitation.

### REGIONAL SPORTING AND COMMUNITY CLUBS

**The Hon. SCOTT BARRETT (14:18):** I congratulate the Penrith Panthers on their fourth successive grand final win. My 10-year-old nephew Oscar was particularly pleased about the win. Members might recall that when the Panthers players' names were announced to receive their premierships rings, their junior footy clubs were also mentioned. The list included the Bellingen Tigers, South Dubbo College, Bilambil Jets, Temora Dragons and—close to my heart—the Blayney Bears. That means that 15 to 20 years ago those men were kids—like so many others, including me—running around playing junior sport in regional clubs in New South Wales. Although the bulk of us do not go on to win National Rugby League grand finals or play in the Ashes—I will give up on that dream soon—that does not make our time spent playing junior sport any less important to us or the communities that we grew up in.

A few years ago, I was working with a charity called GIVIT, which was providing drought relief. There was a tennis camp in Cudal which 60 to 80 kids attended. GIVIT threw a bit of support behind them because while there was a bunch of kids running around having a great time, the important thing was that mums and dads were also there, barbecuing and making sure that everyone was wearing hats and sunscreen. Most importantly, they were talking to each other. This story is mirrored at events and activities across the State, from Menindee to Mungindi, and from cricket clinics to crochet clubs—like the one I happened across in Canowindra several years ago. The ladies I met there were doing so much more than learning how to crochet. They were talking together about their own problems, about the issues in their community and about others in their community who might need assistance.

While I am not claiming that regional New South Wales has a monopoly on this sense of community, it is what our communities are built on. It is part of what makes us tick. This is why, from a government perspective, it is worth supporting these essential clubs, organisations and activities. There are benefits on so many levels. When you visit our towns and smaller villages, it is no surprise to see the footy club going well, or to see an active progress society or a strong campdraft. The towns are generally going well. These organisations make our towns more vibrant, more community minded, more sustainable and more liveable, which in turn makes it easier for these towns to attract and retain key workers, such as teachers, childcare workers, nurses and doctors. This makes the towns more vibrant, more liveable and more sustainable. That is a win for all involved, and it is a key reason why the Government should support these clubs, organisations and events. They are one of the key parts that make regional New South Wales the best place to live, work and raise a family.



### OFFICER TRAINING UNIT SCHEYVILLE

**The Hon. WES FANG (14:21):** I take this opportunity to talk about the Officer Training Unit Scheyville, which is in Scheyville National Park to the north-west of Sydney, near Richmond. I asked a couple of questions about this issue during the most recent budget estimate hearings. I found out, from the National Parks and Wildlife Service, that there are a number of heritage-listed buildings on the site. That heritage listing means that the National Parks and Wildlife Service have a responsibility to protect and maintain the integrity of the buildings. The officer training unit was home to a lot of National Service officers who were trained for the Vietnam War. Tim Fischer, a former Deputy Prime Minister of Australia, was one of the officers who were trained at Scheyville.

The commandant's house is heritage-listed and is falling down. The National Parks and Wildlife Service has a responsibility to protect this heritage site as it is on the heritage register. I would normally expect the Labor Government to ensure that the National Parks and Wildlife Service maintains the site, but we have instead found that the service is not maintaining it. When I raised with the National Parks and Wildlife Service that the heritage site was not being protected as it should be and that it is also posing a safety risk, with large parts of the structure about to fall down, the agency, instead of spending money to protect the site, has fenced it off.

A number of projects are occurring at Scheyville, and they are looking to preserve the site because of its heritage and history of being used not only in military training but also for migrant camps. The National Parks and Wildlife Service has said that it will not allow those people to protect the site. The kicker is that the Minister for Heritage, who should be enforcing the site's protection, is also the Minister for the Environment and should be ensuring the National Parks and Wildlife Service does something about it. The Hon. Penny Sharpe should tell the National Parks and Wildlife Service that it needs to do something about this site now. It is on the heritage register, and she is the Minister for Heritage. She is also responsible for the National Parks and Wildlife Service as the Minister for the Environment.

### ISRAEL-HAMAS CONFLICT

**The Hon. BOB NANVA (14:24):** I was hoping to make a contribution this morning during the debate on the Hon. Chris Rath's motion relating to 7 October but did not get the opportunity. I will make a contribution now on this subject matter, particularly to emphasise the point of social cohesion when we are talking about the devastating events that are taking place overseas. They are devastating not only for those caught in the crossfire of war but also for their families at home. I emphasise the importance of the nature and tone of the debate. I have referred previously to the patriotism of migrants, like my parents, and how much they love this country because of the opportunity and dignity it afforded them, and also because of its security and cohesiveness. With distressing and significant events overseas, I am constantly reminded that security and social cohesion do not exist by accident but by very hard-fought nurture. That is why I am so pleased that when we have these debates, they are, in the main, underpinned by restraint and by avoiding unnecessary and corrosive rhetoric.

The tone and nature of debate is just as critical as the substance of what is being debated. Words matter. They have a significant impact on migrant communities, particularly those that have innocent loved ones caught in the crossfire of war. Setting the tone and nature of a debate takes leadership. It takes the leadership of political parties, political leaders and political participants. One of the great and rare distinctions of Australian political leadership and debate has been to reject race and division as a factor in many of the debates, and this was the case this morning. I thank members for that. We should continue to remember, every time these issues are brought on for debate, that the one thing we do control is not what takes place overseas but the cohesion that my parents in particular were so attracted to and defensive of in this country.

### *Bills*

### PUBLIC HEALTH (TOBACCO) AMENDMENT BILL 2024

#### First Reading

**Bill received from the Legislative Assembly, read a first time and ordered to be published on motion by the Hon. Daniel Mookhey, on behalf of the Hon. Courtney Houssos.**

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

**Statement of public interest tabled.**

**The Hon. DANIEL MOOKHEY:** I move:

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

**Motion agreed to.**

**The Hon. DANIEL MOOKHEY:** I move:

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

**Motion agreed to.**

### *Motions*

#### **BULGA STATE FOREST**

**Ms SUE HIGGINSON (14:28):** I move:

- (1) That this House notes that:
  - (a) in the first week of October 2024, whilst the New South Wales Labor Government was hosting its Global Nature Positive Summit, destructive extinction and habitat-wrecking logging operations began 400 kilometres away in Bulga State Forest on Biripi Country;
  - (b) currently, 2,000 hectares of Bulga State Forest, which is of immense conservation value and significance, is planned for destruction, about 10 times the amount indicated on previous harvest plans;
  - (c) Bulga State Forest is home to many native and threatened species, including the wondrous endangered greater glider and iconic endangered koala, the populations of which are unlikely to survive the planned logging operations in the longer term;
  - (d) since the NSW Forest Corporation's announcement of the planned works, many brave members of the community have put their lives on hold and their bodies on the line, locking on to giant machinery in protest of NSW Labor's Forestry Corporation extinction logging; and
  - (e) since the beginning of the community's campaign to protect Bulga State Forest from logging, 16 arrests will have been made by the end of 15 October 2024, including most recently:
    - (i) veteran forest campaigners Marg McLean and Susie Russell;
    - (ii) former *The Sydney Morning Herald* journalist Margo Kingston;
    - (iii) Knitting Nanna Bronwyn Vost; and
    - (iv) 78-year-old Order of Australia medal recipient John Seed.
- (2) That this House acknowledges the deep irony and absolute absurdity of the New South Wales Labor Government hosting a Global Nature Positive Summit whilst driving species to extinction and native forest destruction through industrial logging.
- (3) That this House calls on the Government to immediately end all native forest logging operations in this State.

Last week the New South Wales Labor Government was hosting the Global Nature Positive Summit in Sydney, while 400 kilometres up the road the most extreme nature-negative actions by the New South Wales Labor Government were occurring. Courageous and upstanding members of our communities were putting their lives on hold and their bodies on the line to stop them. I am talking about the New South Wales Labor Government Forestry Corporation's destructive and extreme extinction and climate-wrecking logging operations in Bulga State Forest on Biripi country.

Bulga State Forest is an incredibly important greater glider stronghold within our precious public forest estate. It has now become a stronghold of grassroots community resistance. Incredible members of our community are doing not what they want to be doing but what they are compelled to do. As of yesterday, 16 of those people who put their bodies on the line, by attaching themselves to an enormous industrial logging machine or by tree-sitting on a tripod, have been arrested and will now have to go through the massive, awful ordeal that is our criminal justice system. Yesterday, 79-year-old John Seed, founder of the Rainforest Information Centre, was arrested. He was involved in the Terania Creek protest in 1979. Those rainforests now form the Nightcap National Park and are on the World Heritage List, along with the Grand Canyon and the Serengeti. Yesterday, John said:

I believe the Bulga Forest will also find its way into National Park and World Heritage status once this government wakes up. Then tourism will earn orders of magnitude more than the vandalism that we're currently trying to stop.

...

Climate chaos is barreling towards us. We need to stop making the damage worse and focus on earth repair and building resilience.

How can we have hope for a future for our kids and grandkids if our governments insist on destroying the planet's protection mechanisms?

John Seed is one of many courageous community members who have engaged in peaceful acts of civil resistance at Bulga. They also include veteran environmentalist Susie Russell, knitting nanna Bronwyn Vost, former Sydney Morning Herald journalist Margo Kingston, Pete, Ned, Marg McLean, Sharyn O'Dell and Mitra Ellis. They will all be vindicated in time. They are the heroes of our time. They will come to be known as "those incredible people who saved our precious forests, who were on the right side of history".

We know how this goes. It is a wonderful part of our environmental history, culture and rule of law. The people play along in good faith. They trust that the politics will align with the science, the evidence, the people, our young people, what is right and what is so clearly in the public interest. But we have run out of time to play; the stakes are too high. Every day that the politics do not align, senseless and costly damage is being done to our forests, nature, our climate and our people. It is a tinderbox and it has to stop. People should not have to go through what they are being put through to wake this Government up.

One woman who has worked tirelessly for nature is Susie, a local to Bulga. I have known her for decades. She was arrested last week because she put her body on the line to protect her forest home. I rendered legal assistance after her arrest. She has been refused bail. Susie is not a flight risk. She is a person of excellent character and standing in this State. She is a woman of her word. When I pressed the police sergeant on why he was not releasing her on bail, he said he was worried about her reoffending and could not release her on conditional bail. I was shocked by his response. He said, "Bail conditions are not worth the paper they're written on." The impunity! It is a tinderbox and it has to stop. While NSW Labor was comfortably drumming nature positive here in Sydney, Susie, a woman who has worked her whole life for nature positive, who is trying to stop the nature-negative actions of this Minns Labor Government, spent the night in prison for trying to protect our forests and prevent more extinction.

The cognitive bias has reached the point of intellectual dishonesty. We cannot go on like this. Our forests, nature and people cannot go on like this. Every day that the Minns Labor Government delays the decision to end the costly climate-wrecking and extinction logging that is taking place across our small but significant and precious native public forest estate is a political failure, to everyone's peril. If Government members want to talk nature positive, they must stop the wanton nature-negative vandalism that is native forest logging. It is, categorically, past time to end native forest logging. I ask members to support this motion and to call on this Government to do what we know is in the public interest: end the destruction of our precious public forest estate. I commend the motion to the House.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:33):** The Government will oppose the motion. Forests in New South Wales are managed within a comprehensive legislative framework that ensures ecologically sustainable principles are applied to all aspects of forest management. I understand that there are lots of emotional and strongly held views about this issue, but facts are important. It is important that I put on the record that timber harvesting operations take place in 0.1 per cent of forested land in New South Wales. The current operations in Bulga State Forest are within compartments 41 and 43, which total 335 hectares. The suggestion that the current operation encompasses 2,000 hectares is false, as is the suggestion that the harvest area is being destroyed. Bulga State Forest contains areas of natural forest set aside for conservation, areas available for timber production as well as timber plantations established specifically for timber production.

The areas available for timber harvesting have been harvested and regrown multiple times over the past 100 years. Each harvesting event has been preceded by careful planning to protect wildlife habitat and followed by regeneration whereby the trees have regrown in the forest. Protection of koalas, gliders and the habitat is a priority of this Government, and Forestry Corporation must factor those elements in. It is required to do so. It must comply with detailed regulations, developed by experts and strictly enforced by the NSW Environment Protection Authority. The fact that the forests continue to support strong populations of endangered species is a testament to the strict protections in place. There is a lot more work to do, but the Government is committed to ensuring better environmental outcomes and to protecting endangered species. I encourage people to read the reports produced by the very well-regarded and respected scientist Dr Bradley Law.

I acknowledge that there are people in the community who do not support native forestry. Some individuals express their view by protesting at forest operations. But it is important to remind everyone that workers have a right to a safe workplace. People who are working in active forest worksites are working with large machinery, among falling trees. The safety requirements in their workplaces should not be undermined by people who want to conduct protest activity. People are entitled to express their views—*[Time expired.]*

**The Hon. ROBERT BORSAK (14:37):** It should come as no surprise that the Shooters, Fishers and Farmers Party opposes the motion in its current form and will move amendments. To support this motion is to support chaos and disruption. It would mean that we are backing the idea that workers should be fearful for their safety because a group of unlawful protesters chooses to stage a dangerous and disruptive performance in the middle of a legal operation. Our amendment is aimed at removing inflated, emotive language and replacing it with facts. Accordingly, I move:

That the question be amended by:

- (1) omitting paragraph (1) (a) and inserting instead "in the first week of October 2024, whilst the New South Wales Labor Government was hosting its Global Nature Positive Summit, sustainable forestry operations began 400 kilometres away in Bulga State Forest on Biripi country;"
- (2) omitting paragraph (1) (b) and inserting instead "currently, parts of Bulga State Forest are planned for selective timber harvest;"
- (3) omitting paragraph (1) (c) and inserting instead "Bulga State Forest is home to many native and threatened species, primarily due to the fresh pick and regrowth synonymous with well-managed forestry operations;"
- (4) omitting paragraph (1) (d) and inserting instead "since the NSW Forestry Corporation's announcement of the planned works many members of the community have put their lives on hold and their bodies on the line, illegally locking on to giant machinery in protest; and"
- (5) omitting paragraphs (1) (e) and inserting instead:
  - (e) since the beginning of the community's campaign to protect Bulga State Forest from logging, 16 arrests will have been made by the end of 15 October 2024, including most recently:
    - (i) Marg McLean and Susie Russell;
    - (ii) Margo Kingston;
    - (iii) Bronwyn Vost; and
    - (iv) John Seed.
- (6) omitting paragraph (2) and inserting instead "That this House acknowledges the Labor Government's commitment to a sustainable timber forestry industry in New South Wales."
- (7) omitting paragraph (3).

**Ms Sue Higginson:** Point of order: I get the feeling that the amendment seeks to change the entire purpose of the motion. I am not sure that is within the scope of the member's—

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** There are two points here. A written copy of the amendment has not been circulated. If that could be provided, I will then have a look at the amendment, consult with the Clerk and get back to Ms Sue Higginson in relation to her point of order.

**The Hon. Daniel Mookhey:** To the point of order: Madam Deputy President, as you deliberate, it might be wise to point out that amendments are allowed to remove the entire motion in totality, provided that they substantially relate to the same subject matter.

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** I am aware of that, but I need to see the Hon. Robert Borsak's amendment before I can make a formal ruling.

**The Hon. ROBERT BORSAK:** I seek a two-minute extension of time.

**Leave granted.**

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** I have now read the amendment. In accordance with the relevant standing order, I do not uphold Ms Sue Higginson's point of order that the amendment effectively turns the motion on its head or negates it in some manner. The Hon. Robert Borsak has the call.

**The Hon. ROBERT BORSAK:** We must address the actions of those who claim to be protecting Bulga State Forest but who are, in fact, engaging in illegal and dangerous activities. Those protesters, in their bid to halt logging operations, have taken it upon themselves to lock themselves onto heavy machinery. Let it be clear that that is not just unlawful but also reckless. Logging is an inherently dangerous profession that requires specialised equipment and training. By interfering with industrial equipment, protesters are putting their own lives, as well as the lives of those who operate that equipment, at risk.

The forest is the home of endangered species, such as the greater glider and the koala, but the suggestion that endangered species populations will be decimated by ongoing operations is not based in fact. The very fact that those species are still in forests tells us that. Sustainable forest practice involves careful monitoring of biodiversity. The Government has consistently demonstrated its commitment to preserving key habitats. The suggestion that we in this State are engaging in extinction logging is nothing more than alarmist rhetoric that is designed to inflame emotions rather than encourage rational discourse. The Shooters, Fishers and Farmers Party does not support the motion.

**The Hon. WES FANG (14:42):** I lead for the Opposition in debate on the motion and indicate that while the Opposition opposes the original motion, we will support the amendment moved by my good friend and colleague the Hon. Robert Borsak. The amendment effectively makes the motion supportable because it is based in truth and fact. Part of Ms Sue Higginson's motion originally sought to glorify the criminals who were arrested and prosecuted for illegal trespass on forestry operations. As pointed out by Minister Moriarty during her

contribution to the debate, forestry sites are worksites. They are dangerous places where heavy machinery is operated and where large items are moved around. People who protest by locking themselves onto a machine to disrupt legal operations are engaging in criminal activity. Members should recognise that, by glorifying illegal behaviour, Ms Sue Higginson and those who support her motion are seeking to provide permission to those who want to stop forestry operations, which is irresponsible. That is why the Opposition and the Government will support the very sensible amendment moved by the Hon. Robert Borsak.

The amendment will provide clarity to forestry workers and the community. It makes clear that the New South Wales Parliament will not tolerate illegal behaviour by protesters and society's fringe elements who attempt to stop people in regional and rural communities having proper jobs and attempt to stop native forestry, which has provided the people of New South Wales with timber and hardwood products. If New South Wales does not produce those products, they will be imported from elsewhere, which will drastically increase the State's carbon footprint. The Opposition supports the amendment because it sends a clear message to the community that members of this House will not treat this Parliament as a place in which to promote stunts. Members of this House will ensure that the New South Wales Parliament will protect and foster jobs growth and investment in rural and regional areas of New South Wales. For the reasons I stated, the Opposition will support the amendment.

**The Hon. JOHN RUDDICK (14:46):** The Libertarian Party opposes the motion and indeed the whole manner in which forestry operations are managed. I want to spell out the purist libertarian approach to the vexed question of protecting the natural world and weighing up commercial interests like logging and tourism. Some libertarians believe all national parks should be privatised via a public tender where the highest bidder owns the land in freehold. However, I believe national parks should not be owned by government and that the best way to achieve that is to simply give all citizens of New South Wales an equal share in our national parks. There would be approximately eight million shareholders overnight who would have the right to buy and sell their little parcel of shares. Many will assume this will result in rapacious capitalists owning the national parks, who will exploit it for maximum short-term commercial gain. That may be the case in some areas, but most Australians do love wilderness areas. That is why almost all political parties are vocally pro the protection of wilderness areas.

I am confident most national parks would soon be owned by a trust in which many thousands of people, if not a million citizens, would pool their funds and gain control of the national parks. The financial contributors would appoint trustees with professional experience in protecting the natural world. In many cases they would charge a small fee for access and likely offer ecotourism to generate some revenue to maintain the upkeep of the park. Private ownership results in real care for an asset, and the trust would have an interest in clearing the national park of invasive species and maintaining its pristine condition. National parks would compete for the upkeep of their park to attract visitors, but others may choose to strictly limit visitors.

This model will mean that our national parks are operated not by remote bureaucrats and controlled by remote politicians and all their rules but by good people who are passionate about protecting the environment. If a national park or State forest is unable to raise sufficient funds to be the highest bidder, then that is the market saying that there is insufficient value in protecting this piece of land. From time to time, I have people in my office who insist that logging native forests is barely commercially viable. If that is true, they will not be able to raise the funds. There is no perfect system for managing these difficult trade-offs between loggers and environmentalists, but the best system yet discovered by mankind is to allocate clear property rights and allow trade so that the resources go to the people who perceive the highest value. Of course, to bring about this ideal, we would first need to have a significant reduction in taxation and government spending so that the citizens of this State would have more money in their pockets to invest in such projects. No system is perfect, but using the power of the State to dictate rules is not working well, and the free market will.

**The Hon. EMMA HURST (14:48):** I support the motion, and I thank Ms Sue Higginson for bringing it today. It is a vitally important issue. Bulga State Forest is critical native habitat for endangered animals in New South Wales, including the koala and the greater glider. If the Government is sincere about its election commitment to ensure that koala populations survive for future generations, then there is only one option, and that is to end native forest logging. It is absurd that the State Government talks about protecting koalas while also driving them to extinction through making decisions that are entirely avoidable. There are so few remaining wild places, the value of which cannot be overstated, and they are of much more value to the State as protected habitats than they are as decimated logging sites.

Bulga State Forest must be protected from further logging. The actions taken by protesters to protect the forest are acts of bravery and show how truly desperate the situation is. The public is forced to take such measures on account of government failings to heed the seriousness and urgency of the issue. It is not about emotions. Those protesters are desperately trying to save the planet for future generations, and their actions should be applauded. It is time for the Government to sit up, pay attention and end native forest logging in New South Wales. The Animal Justice Party supports the original motion and does not support the rather absurd amendment.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:50):** The Government supports the amendment moved by the Hon. Robert Borsak. As I outlined in my original contribution, the Government would prefer that the motion be rejected but, at a bare minimum, the amendment proposed by the Hon. Robert Borsak at least does what I outlined in relation to the Government's position, which is to make the motion factual.

I understand that the motion seeks to name the specific people who were arrested after chaining themselves to machinery in the forest last week. It is not a problem to have a motion that describes such actions but—and I say this respectfully to the people who have passionate views and want to protest—that is the consequence. It is an active workplace with heavy machinery. It is a dangerous working environment. If someone makes the choice to chain themselves to machinery, then the consequence is that they will be arrested, because that is illegal activity. The Government believes that workplaces, including State forests that are actively harvested, should be safe for the people working in them. Again, people have the right to protest and express views, as they do constantly on this issue. People are entitled to do that, but the workers in those workplaces are legally carrying out harvesting operations and they are entitled to be safe at work.

Amended paragraph (2) would acknowledge that the Government is committed to a sustainable industry. It is also important to note that the Government is doing a significant amount of work to develop the Forestry Industry Action Plan and the Forestry Industry Roadmap for how the industry should look for decades to come so that the current daily tensions, problems and skirmishes will be no longer necessary. A range of reviews are underway to develop long-term plans for how the industry should look well into the future. The Forestry Industry Action Plan panel is meeting with members, industry and other stakeholders this week to get their views. I look forward to the results of the Government's work.

**Ms CATE FAEHRMANN (14:53):** I support the motion moved by my colleague Ms Sue Higginson. I also support the incredible forest activists who have put their bodies on the line to protect forests and endangered species such as the greater glider and the koala, which this Government should be protecting but is not. When governments do not do what is right for future generations, the environment, the planet and the vast majority of the community who want koalas protected, then people step up and protest. Sometimes that involves an illegal protest because that is all that is left. Communities have met with governments of both parties over many years to try to put some common sense into our forest laws to prevent the logging of threatened species habitat. The environment Minister in this State sat on an inquiry with me that looked into the koala and its future. The committee found that, unless logging and the destruction of koala habitat is stopped, koalas will become extinct in this State before 2050. This Government is sitting by and allowing the logging of koala habitat.

**The Hon. Wes Fang:** Hear, hear!

**Ms CATE FAEHRMANN:** I acknowledge that outrageous interjection from the member of the National Party, who call koalas "tree rats". I am sure the member has done the same thing.

**The Hon. Wes Fang:** Point of order: The member is reflecting on me, but she has no basis for doing so. If she wants to, she should do so by way of substantive motion, which we would obviously amend.

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** The member will direct her comments through the Chair.

**Ms CATE FAEHRMANN:** I acknowledge the National Party's track record of calling koalas "tree rats" through you, Madam Deputy President. This Government is very happy to stand by and see endangered greater glider habitat being logged.

**The Hon. Robert Borsak:** Point of order: Koalas are not tree rats; they are tree wombats.

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

**Ms CATE FAEHRMANN:** I seek an extension of time.

**Leave not granted.**

**The Hon. EMILY SUVAAL (14:56):** I speak against the motion as moved by The Greens and indicate that the Government will support the sensible amendment proposed by the Hon. Robert Borsak. The Greens' continued attack on our wonderful forestry and timber workers and Forestry Corporation writ large has no limits. They have put forward a motion that has inflammatory and inaccurate language all through it and contains terms such as "extinction logging" and "destruction". It is an emotive and ridiculously inaccurate portrayal of what the timber industry is and what timber workers do. The Greens continue to demonise good workers and the timber industry more broadly. It is unfair, it is unjust, and it is completely inaccurate. I urge The Greens and their

dangerous and illegal activists to climb down from their trees and speak to forestry workers, who care deeply about the forests and the work they do to provide an income for their families. They are real people.

The motion calls those members of the community brave and states that they have put their bodies on the line by locking themselves onto giant machinery. I do not call that brave; I call that reckless. It is not just their own bodies that they put on the line. It is the bodies of timber workers as well. They are recklessly endangering the workers and the operators, who are just trying to do their jobs day in, day out. The timber industry is important. Our sovereignty is important. The timber workers of New South Wales deserve to be able to safely do their jobs without ridiculous protests and attacks.

**Ms SUE HIGGINSON (14:58):** In reply: I find it unfathomable that the Government has suggested it is going to support an amendment that says that the reason our public native forests, including Bulga, are home to greater gliders is "primarily due to the fresh pick and regrowth synonymous with well-managed forestry operations". Government members have got to be joking. They need to look at the habitat requirements of greater gliders. We are talking about trees that are over 200 years old. They are off their rockers. I wonder whether the Minister for Agriculture actually consulted with the Minister for the Environment before agreeing to these absurd, factually wrong amendments. It is embarrassing on the part of the Government.

**The Hon. Wes Fang:** Your motion is what is wrong.

**Ms SUE HIGGINSON:** Point of order: Madam Deputy President, I ask that you direct the Hon. Wes Fang to stop heckling me. It is driving me mad.

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** The Hon. Wes Fang will cease interjecting.

**Ms SUE HIGGINSON:** I acknowledge and appreciate the work that Dr Brad Law has done on behalf of the Forestry Corporation over many years. I also put on the record that some of the findings of his scientific work on koala population studies have been shown to have significant and fatal flaws. That scientific paper has been peer reviewed and published this year. I strongly advise the Government to get with the program.

*[A Government member interjected.]*

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** Order! Interjections are disorderly. Government members will cease interjecting. I will call the Minister for Agriculture to order if I have to.

**Ms SUE HIGGINSON:** The notion that I have ever demonised timber workers is wrong. It is false. I will fight that. I have never been on the record saying that. I know timber workers, and I have worked alongside them. I am married to a former timber worker. I understand what they do. Every worker in the public forest estate in this State knows that their future is in the plantation industry. Right now, every job in the public forest estate is being subsidised by the public. The future of jobs is in the plantation estate. The longer the Government is like the Opposition and does not face the facts, the more workers will walk off the cliff. Those workers need a plan. This Government needs to support timber workers.

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

**The House divided.**

Ayes .....34  
Noes .....6  
Majority.....28

#### AYES

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

Kaine  
Latham  
Lawrence  
MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mihailuk  
Mitchell  
Mookhey  
Moriarty

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

## NOES

Boyd  
Buckingham

Cohn  
Faehrmann (teller)

Higginson (teller)  
Hurst

**Amendment agreed to.**

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

**Motion as amended agreed to.**

### MCPHILLAMYS GOLD PROJECT

**The Hon. SAM FARRAWAY (15:10):** I move:

- (1) That this House notes that:
  - (a) on 12 September 2024 the Blayney Gold Mine Bill 2024 was introduced into the Senate by Senator Duniam;
  - (b) the bill would facilitate the construction of a goldmine at Kings Plains, New South Wales by:
    - (i) repealing the Aboriginal and Torres Strait Islander Heritage Protection (Kings Plains) Declaration 2024; and
    - (ii) preventing the making of any further declaration under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 that would impede the construction of the goldmine.
- (2) That this House supports the passage of the Blayney Gold Mine Bill 2024.
- (3) That this House calls on each Senator elected to represent the people of New South Wales to vote for the Blayney Gold Mine Bill 2024.
- (4) That after the passage of this motion the President communicate this resolution of the House to each senator elected to represent the people of New South Wales.

This motion spells out an issue that we have discussed in this House over the past several sitting weeks since the decision was made by Tanya Plibersek to put a section 10 declaration over the tailings dam on the McPhillamys Regis goldmine project. As we have discussed in this House this week, work has been done in the nation's capital to try to resolve the trail of destruction and the mess that Tanya Plibersek has left for the Blayney community. She left them completely in limbo after that decision. A disallowance motion was moved through the Senate, which obviously works in a very similar way as it would in the house of review here in New South Wales, but it was not supported. Instead, Senator Duniam has introduced the Blayney Gold Mine Bill 2024 in the Senate to undo the mess caused by Minister Plibersek and the Federal Labor Government's section 10 on the goldmine tailings dam at Kings Plains and to repeal the Aboriginal and Torres Strait Islander Heritage Protection (Kings Plains) Declaration 2024.

This motion calls for support of that bill in the Federal Parliament and for each member, of whatever political persuasion or party in this place, to pick up the phone and insist that senators in Canberra support that bill. I have heard this week from Government members who say that it is not their job and not their role to advocate and make phone calls. Technically, it probably is not. However, it is in the interests of the people of New South Wales, regional New South Wales and Blayney, and it is in the interests of investor confidence in the mining sector and the critical minerals space. The Minister has said that is incredibly important to the Critical Minerals Strategy and to continued investor confidence in New South Wales. I think it is incredibly important that everyone play a role in advocating that the senators take this bill seriously and support it. By supporting it, people will bring about sensible policy and reason within the mining and critical minerals sector to say that New South Wales and Australia are open for business.

We have a rigid process in New South Wales through the planning and environmental processes. That is why the Independent Planning Commission was established at arm's length to the government: to take on concerns with projects raised by the community and other stakeholders, to make sure that there is a fair hearing, and to implement restrictions on projects, if needed, to ensure they meet the expectations of the community around planning and environmental approvals. This is an important motion. It says this entire Chamber can play a role here. Members can lobby senators in Canberra. This House can support the motion and, if this bill were to pass, undo the mess. That is the role of everyone. Whether a Government Minister, a Parliamentary Secretary or a Government, Opposition or crossbench MP, everyone has a connection in Canberra. That is just the reality of politics.

There is a role to play here for the best interests of regional New South Wales and for the people of Blayney and the Central West to not be left in limbo any longer and to have a bill that can undo the mess created by the section 10 declaration and the statement of reason that has now been released over the course of the past week by



the Minister that, quite frankly, does not stack up. It does not stack up to the sector, to stakeholders, to the community and even to the registered Orange Local Aboriginal Land Council, which does not agree with this. Obviously, over the course of the past week we have seen that the Federal Government has written to the State Government and things have not been taken into consideration. Again, there is a role for this House to play here and for people who serve in this Parliament to get senators on board to fix the mess in Blayney.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (15:16):** I lead for the Government on this motion and make it clear from the outset that we are opposing it. There has been a series of motions on this particular issue in this place, and the Government has sought to act to engage in a proactive and practical way to come up with a clear role for this House or this Government to express support for the project. During the last parliamentary sitting the Government supported a call for papers. It has nothing to hide in relation to that. But this motion today shows, as I said last time, that we are about practical solutions and not about stunts. Today's motion is a stunt. I accept that the Hon. Sam Faraway, who moved the motion, wants to be in a different Parliament, and that is where he is seeking to go. He is using his opportunity as a member of this place to make that position clear in the motion today. That is the member's prerogative.

From the outset, the Government has been focused on finding practical solutions to deliver the \$1 billion worth of investment and the 800 jobs that are going to be supporting our regional communities across the Central West of New South Wales. We have been really clear that we are disappointed in the Federal Minister's decision. We will continue to advocate publicly and privately in relation to that. We will continue to work with the company on finding practical solutions. As I have told the House previously, I have met with the CEO of the company personally on a number of occasions. I did that again recently because we are committed to working with it to find a practical solution.

We are not committed to stunts in the Legislative Council on a Wednesday to support the election campaign of the member who is moving the motion. We know the importance of the 800 jobs. Some 7,500 people live in the Blayney local government area. An additional 800 jobs for that community means a huge injection into that part of regional New South Wales, and we understand the opportunities that will deliver. We will support this project and we will do it in a practical and considered way, without political stunts, because we are focused on solutions and not on figures of speech. The Government remains firmly committed to the project. Its position has not changed. It is absolutely opposing the motion.

**The Hon. JOHN RUDDICK (15:19):** I support the motion by the Hon. Sam Faraway in support of the construction of the McPhillamys goldmine at Blayney in the Central West of New South Wales. I am in favour of protecting genuinely valuable archaeological sites, but there is nothing of value in the vicinity of the proposed goldmine. The local Aboriginal Land Council is in agreement with that view and wants the goldmine, which will employ many local Aboriginal people and others, to proceed.

Australia is suffering through the longest per-capita recess since the Australian Bureau of Statistics began publishing the Quarterly National Accounts in the 1970s. It is caused by an anti-business attitude, which is blocking the mine. Our political leaders tell us that we are not in recession because the economy has some anaemic growth. But, because of excessive immigration levels, our population is growing faster than the economy. Therefore, on a per-capita basis and confirmed by the lived experience of individuals, we are in recession and have been for 18 months. The forecast is that the recession is likely to continue.

With the exception of Premier Campbell Newman in Queensland, there has been no serious fiscal reform by any government in Australia this century, and we are now paying for it. The brilliant economist Friedrich Hayek taught us that, as the economy gets weaker, social divisions become more acute and calls become louder for even bigger government to solve a crisis caused by big, bossy government. Everybody admits the slump is caused by stagnant productivity levels, and that is largely caused by Australia's growing tax burden, byzantine regulations and anti-business attitude.

For most of our history, the State and nation has been pro-business. A century ago, the great American president Calvin Coolidge said that "the business of America is business". That has also been the Australian attitude for most of Australia's history and explains its presently high living standards. But it is rapidly backsliding and becoming mired in taxes, regulation and an anti-business mindset. There are endless examples, of which this mine is just one. I am glad that the Hon. Sam Faraway is bringing it to members' attention. It is important.

The motion is a small step in the right direction by removing one regulatory barrier, but Australia and New South Wales desperately need a period of slashing taxes and regulations and unleashing the entrepreneurial drive that built Australia. Above you, Madam Deputy President, is the crest of New South Wales, which contains the words in Latin: "Orta recens quam pura nites", which translates as "Newly risen, how brightly you shine". We need to rediscover that optimistic pro-enterprise spirit. The Libertarian Party will always support getting the

Government out of the way of free enterprise. It supports the McPhillamys goldmine and every clause of the motion. The Libertarian Party commends the mover.

**Ms CATE FAEHRMANN (15:22):** On behalf of The Greens, I oppose the motion, as I have opposed all the motions put forward by the Opposition in this place regarding the McPhillamys goldmine decision. The motion is particularly foolish. Firstly, it is asking the House to reflect on a decision to be made by Federal senators about the passage of legislation in another Parliament. It is particularly foolish in that the bill that the motion asks members to support, in a way, seeks to repeal the Aboriginal and Torres Strait Islander Heritage Protection (Kings Plains) Declaration 2024 and prevent any further such declarations being made. That is absolutely extraordinary. It is good to hear that the State Government is not supporting the motion, but it is disappointing again for the Minister for Natural Resources to talk about the State Government's disappointment in the decision of the Federal environment Minister. The reasons behind the decision by the Federal environment Minister were released a few days ago.

It is quite extraordinary that the Hon. Sam Faraway basically wants no more protection of Aboriginal and cultural heritage when it comes to the McPhillamys goldmine, yet a reason given by the Federal Minister for her decision is that the loss of cultural heritage is permanent and cannot be mitigated or reversed. She also talks about the fact that the Belubula headwaters were sacred to the Wiradjuri people and that the area was used for the teaching of the Dreaming for pre-initiation ceremonies. The reasons go on; they were all released. The fact that the member here, who is desperate to get into the Federal Parliament—

**The Hon. Sam Faraway:** Point of order: The member is pointing at me and not making her remarks through the chair.

**The DEPUTY PRESIDENT (Ms Abigail Boyd):** Ms Cate Faehrmann will direct her comments through me.

**Ms CATE FAEHRMANN:** I was directing them to you. I just made a hand gesture as well. I very much object to the motion.

**The Hon. EMILY SUVAAL (15:25):** I speak against the motion. I acknowledge the Hon. Sam Faraway, who has really hit his straps since preselection.

**The Hon. Sarah Mitchell:** He was pretty good before; you just weren't here.

**The Hon. EMILY SUVAAL:** I acknowledge that interjection from the Hon. Sarah Mitchell. The Hon. Sam Faraway has been moving motions week after week, particularly on private members' business day. I oppose the motion, but in doing so I remind members that members are in State Parliament. I particularly remind the Hon. Sam Faraway, otherwise known to his colleagues in this place as the candidate for Calare—

**The Hon. Sam Faraway:** No, Penny said I'm Captain Calare.

**The Hon. EMILY SUVAAL:** I acknowledge that interjection. I remind the Hon. Sam Faraway that he is still on the payroll of the New South Wales State Parliament and perhaps should restrict his newfound interest in the Senate and the Federal Government to after-hours campaigning or on weekends, since he has assured us that he can do both jobs. Nevertheless, I am happy to talk about metal mining and its importance, particularly in the Central West. State Government members are disappointed, as the Minister said and as I have said in this place before, in the Federal Government's decision. Given the McPhillamys project had been through rigorous environmental and heritage approvals by the Independent Planning Commission, the New South Wales Government had expected it to go ahead. Metals mining plays an important role in New South Wales as a leading regional employer.

We heard from the Minister about the expected 800 jobs in the small town of Blayney, which would be really important for that region and particularly for the Central West of the State. The New South Wales Government remains disappointed about the decision. We have said that publicly on many occasions, but we have also said that protecting heritage and progressing key mining projects should not be a zero-sum proposition. In summary, I welcome the Hon. Sam Faraway's attempt to bring humour and light to members on a Wednesday with matters relating to the Federal Government. The entirety of the motion, as it reads, relates to Federal Parliament, and so the New South Wales Government will oppose the motion.

**The Hon. SCOTT BARRETT (15:28):** In April 1851, while prospecting on the Summer Hill Creek, Cornish-born settlers John Lister and brothers William and James Tom found a heart-shaped gold nugget at a place that was soon to be named Ophir. While the find caused a great deal of conjecture in the following years in relation to where the credit should go, with a reward being paid to Edward Hargraves, it also sparked the first gold rush in New South Wales, forever changing the colonies that were soon to become Australia. That all started in the Central West. Since then, throughout the region, places like Cadia, Peak Hill, Sofala, Hill End and Blayney

have all experienced their own gold finds, bringing with them hope and optimism for individuals and budding settlements that grew into towns and cities.

We saw that optimism again recently with the belief that another new goldmine was soon to be opened in the Central West at Kings Plains near Blayney. With that was to come 800 new jobs to the area and the possibility of \$1 billion in economic activity, including \$200 million in royalties to the New South Wales Government. Given the current cost-of-living crisis we are in at the moment, those jobs and that injection to the local economy of Blayney and the surrounding communities was viewed with a great deal of anticipation by councils, businesses, young families, long-term residents and local Indigenous leaders. But, as we have heard, those communities had that optimism ripped away from them in a last-minute decision by the Federal Minister for the Environment and Water. That Government Minister, who talks about fixing the cost of living, job opportunities and supporting our industry and workers, took all that away with a decision based on secret meetings without even explaining respectfully why the decision was made.

It is disappointing to see members make the issue about the Hon. Sam Faraway. This mine is so much more important than that. We have heard the Minister talk about the 800 jobs that the mine was going to bring and the \$1 billion it was going to pump into the local economy. Like me, I would have thought that Labor members would support this motion. There is no reason for them not to. On many occasions, they have said that they supported this mine and talked about its importance. I have seen towns like Orange go through droughts and not suffer to the same extent as other communities because they have a mining income to rely on. The Minister has said how important this mine is in the Central West. Why not do everything we can to make sure it goes ahead? If that means writing a letter to Canberra, I would not have thought that was too much to ask.

**The Hon. TANIA MIHAILUK (15:31):** I make a contribution to debate on the motion. I support the motion because I support anything we can to ensure that McPhillamys Gold Project goes ahead. I question parts of the motion, because it is odd that we would ask Ministers to contact Labor senators. Members who know senators know that Tony Sheldon has been screening his calls since the '80s. I see Tim Ayres on Sky. He has the best poker face ever when Andrew Clennell tells him what is going on in the Federal caucus. Deborah O'Neill is on borrowed time. Sorry, Greg, but she is. That is the reality. I do not know the point of talking to any Labor senator. They are of no consequence in any event.

I say to The Nationals—I know they are laughing now—but did they take Barnaby Joyce's calls when they decided to vote for net zero targets in New South Wales? No, they did not. Did they take Matt Canavan's calls? Did they take any of their Federal National Party counterparts' calls when they said stop supporting net zero targets in New South Wales, which is in total contrast to their position? I was with a couple of them at the Conservative Political Action Conference. I know their view on net zero targets.

We need to work with NSW Labor at the moment. This is a huge litmus test for Chris Minns. He has said he is disappointed and will do everything he can. I think the NSW Labor leadership is now smart enough to work through this. We know there is an avenue through State significant infrastructure. It is clear; there is a path forward. New South Wales knows what it needs to do. We need to support NSW Labor because I think they know the right thing, and will ultimately support this mine going through. There is a path through the Minister for Planning and Public Spaces.

What happened was a dog's breakfast. The call for papers was an excellent idea, and I acknowledge the Hon. Sam Faraway's work with that. I am pleased that I amended it to include the planning Minister's correspondence because we now know that Tanya Plibersek hand-picked which Ministers she wrote to. She failed to write to the Minister for Planning and Public Spaces and, for some bizarre reason, nobody contacted that Minister. What happened was a dog's breakfast. The New South Wales Labor Party has a duty to the people of Blayney and New South Wales to fix this up because we know their Federal Labor colleagues will not; Tanya Plibersek will not change her mind.

**The Hon. SCOTT FARLOW (15:34):** Government members come to this House and say that they are fully in support of the Blayney McPhillamys goldmine. I commend the Hon. Sam Faraway for his pursuit of this issue day in, day out. If Government members want to show they are fully in support, the least they can do is pick up the phone to Canberra and support the motion before this House today that will have some force in getting this goldmine in operation. Members opposite like to say that they are doing everything possible to make sure that the mine comes to fruition. There is something very simple they can do: Talk to senators. The Senate is supposed to be the States' House. We need to send a message from this Parliament to our senators—not just Labor senators—that members in this House support the bill by Senator the Hon. Jonathon Duniam that will see the Blayney goldmine come to fruition.

We have seen that the Independent Planning Commission came to the right decision when it considered Blayney and McPhillamys goldmine. It saw the approval. This Government should be irate, not just disappointed,

whether it is capitalised or not. This Government should push a motion through this House to stand up to Canberra. Anthony Albanese might be sitting at Copacabana and be moved to do something about this rather than sitting on the sidelines, knowing that there is a bit of a kabuki show going on with Chris Minns and thinking it will all just go away. The Hon. Sam Faraway and the Coalition will not let it go away. Whether the Hon. Sam Faraway is in Canberra or Macquarie Street, we will not let this issue go away because it is important to the people of the Central West of New South Wales.

We have already heard from the Hon. Scott Barrett about the great history. I think all members would have seen the goldmines and probably even tried their hands at fossicking in the rivers of Hill End or Sofala. We know that not just the Central West but also Australia was built on the back of that great mining success story. Australia continues to see the great benefits of mining in our State. When it comes to critical minerals like gold, we need this mine. The people of New South Wales expect this mine to be delivered, and the least that the Government can do is support this motion.

**Ms SUE HIGGINSON (15:36):** This political stunt is sad and quite tragic. Going through really strange processes like calling on this House to interfere in the Federal Parliament seems bewildering. The wannabe Federal member for Calare is doing his thing. I cannot hear myself with the Hon. Sam Faraway interjecting.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Sam Faraway will refrain from interjecting. Ms Sue Higginson has the call.

**Ms SUE HIGGINSON:** The wannabe Federal member for Calare comes to this place already trying to deal in Federal politics while we are dealing with State politics. But let us talk to the actual point. The reality is that what we have seen play out is a genuine exercise of administrative power by a Federal Minister in her legal capacity as the Minister for the Environment and Water. She made a genuine determination on a completely valid, legal, authorised application that was made to her by the cultural authority holders of the land that the decision to exploit that land would destroy their cultural heritage.

We are talking about procedural fairness. We are talking about the cultural heritage of the first people of this State. We can fantasise and romanticise about our little gold forays and the nuggets we found. We can romanticise that colonisation vision that we hold dear. But at the end of the day, we are talking about a law of this country, posited decades ago, that gave First Nations people the right to make an application and have it determined in accordance with the law. That is what happened. Any member attempting to override those procedures in the Federal Parliament to deny First Nations people any sort of procedural fairness in working to protect their country—well, that is a matter for the madness of that House. The madness of this House is well and truly on display today from the wannabe member for Calare. Whether he one day ends up in Federal Parliament or not is a matter for the people of Calare.

**The Hon. SARAH MITCHELL (15:39):** I make a brief contribution to debate on the motion. I support my colleague the Hon. Sam Faraway in bringing the motion to the House. It is an important matter for the people of the Central West. Some members have said that this motion is a political stunt or it is grandstanding, but that is not what it means for people who live in Blayney. People in that community were relying on the mine and the jobs and investment that would flow from it. Other members have made that point articulately throughout the debate. Some members have said, "This is State Parliament. Why are we talking about Federal issues? That's not our role." That is ironic. I have been a member of this Parliament for some time. Quite often on private members' day, motions are moved that go far beyond what happens in State Parliament and the State Legislature.

I give one example. This is not a reflection on that member—it is her right—but Ms Cate Faehrmann has a motion on the *Notice Paper*, No. 1177, about the arrest of the Sea Shepherd founder in Japan. The motion calls on the government of Denmark to release him. The member wants to talk about that issue because it matters to her. In the same way, the McPhillamys Gold Project matters to the Hon. Sam Faraway, members on this side of the Chamber and people of the Central West region of New South Wales. Members should not dish it out if they cannot take it. [*Time expired.*]

**The Hon. SAM FARRAWAY (15:41):** In reply: I thank all members for their contributions. I will not go through them or reflect much on the contributions from The Greens, because they do not live in reality. Instead, I reflect on the fact that we have heard the Minister and Government members do a lot of talking—they talk and talk and talk—but there is no action. The Minister talks about practical solutions. What are the practical solutions according to the Minns Labor Government? The only solution I have heard is from the Premier when he was being pushed for a comment on 2GB. He talked about fast-tracking planning and environmental processes for a new tailings dam. Frankly, that will not meet community expectations either because there are clearly concerns around environmental factors. The Premier said, "I'll fast-track it. Let me see if I can fast-track it. It'll be right." I have not heard him repeat that since. I suspect someone from the Premier's Department got in his ear and said, "You probably can't do that, Premier."

The Minister and Government members talked about a measured approach, and that does not mean waiting for Minister Scully. It took him eight months to reply to the Federal Government. Who is playing the games? Is it Tanya Plibersek, in not addressing letters to the right Ministers? I accept Minister Sharpe replied quickly. Minister Houssos also replied. But it took eight months for the planning Minister, who is responsible for this space, to write back to Tanya Plibersek. That is not measured. It is lazy, slow, clunky bureaucracy. It is not good enough. The people of Blayney do not cop that. It is not good enough.

I am also sick of hearing members say, "We're disappointed in the decision." We are all disappointed in the decision, apart from The Greens. What are Government members doing? They have the power in this Parliament to make a change. They are doing absolutely nothing. Members have done their research. They know how many people live in the Blayney shire. That is great! At the end of the day, have Government members talked to people in the Blayney shire? No, they have not. They have not talked to people about how they feel. Their business loans are now redundant, houses are on the line and overdrafts are extended. People have made real-life choices based on an approved planning process for the project. I will leave members with this thought: Words are not actions and they are not practical solutions. The Government has to overturn this decision. Based on the comments of Government members today, it is obvious they do not respect the people of Blayney. But those people can see through this decision, and they will not cop it. [*Time expired.*]

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

**The House divided.**

Ayes .....18

Noes .....21

Majority.....3

#### AYES

Barrett  
Carter  
Fang (teller)  
Farlow  
Farraway  
Latham

MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mihailuk  
Mitchell

Munro  
Rath (teller)  
Roberts  
Ruddick  
Tudehope  
Ward

#### NOES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Fahrman

Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence

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

**Motion negatived.**

### ROLE OF REGIONAL NEWSPAPERS

**The Hon. SARAH MITCHELL (15:51):** I move:

- (1) That this House acknowledges that regional newspapers are essential for:
  - (a) ensuring residents are informed on local issues and events;
  - (b) supporting local economies by providing advertising platforms for small businesses and promoting tourism; and
  - (c) fostering community connection and social cohesion by celebrating local achievements and stories.
- (2) That this House recognises the vital role that regional newspapers play in providing timely, relevant, and locally focused news and information to regional communities across New South Wales.
- (3) That this House expresses concern about the challenges facing regional newspapers, including financial pressures.
- (4) That this House calls on the Government to support regional newspapers through increased Government advertising to regional publishers, including significant and ongoing funding for official advertising in regional mastheads, in both print and online mediums.

I am a proud resident of regional New South Wales and have been reading our local papers for many years. I give a shout-out to the *Namoi Valley Independent*, which was a print edition paper in Gunnedah for a long time.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order! There is too much audible conversation in the Chamber. I am having extreme difficulty hearing the Hon. Sarah Mitchell.

**The Hon. SARAH MITCHELL:** I also acknowledge the *Gunnedah Times*, which is a more recent publication that is also doing great work. The newspapers in Gunnedah, and in a number of other regional communities, are a primary source of reliable news in regional and rural areas. People from regional towns know that most readers in our communities prefer a print newspaper. Local newspapers are there to celebrate community achievements, to share personal stories and to help strengthen community connection.

**The Hon. Greg Donnelly:** Point of order: There is too much audible conversation in the Chamber.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I uphold the point of order. Members will keep the noise down.

**The Hon. SARAH MITCHELL:** Local community regional newspapers provide a vital advertising platform for small businesses and help promote tourism by showcasing regional attractions and upcoming community events, including food festivals, country shows and farmers markets. They play a key role in giving a voice to local concerns and interests. The number of regional papers is unfortunately heading downwards. I will speak later about some of the publications that we no longer have in our country towns and cities. My concern is that the Government is not doing enough to support regional newspapers. Before the election, the then Labor Opposition put in costings to the Parliamentary Budget Office and announced that it would double the Regional Media Fund, which was started when we were in government, from \$3 million to \$6 million. It was also going to put a further \$3 million towards advertising in regional print media. The key term here is "print media".

Since the election, the Labor Government has allocated just \$3 million for regional and community newspaper support in the budget, which it said will "better support regional media in diversifying and expanding into digital content". That misses the point and is not what people are asking for. That is not what regional people want when it comes to their news services. Yesterday we debated the bill introduced by the member for Barwon about better communication and consultation with people in the regions. Those people want their local rag. They like their local newspaper and want to be able to pick up a print edition and see what is happening. They want to celebrate the sporting teams that are doing well and the school kids who are achieving. When it is time for local government elections, they want to read profiles of the candidates. They want to read news from their local MPs and see advertising for local businesses.

This is what Country Press and Australian Community Media [ACM] have been calling for. In a letter to the Premier earlier this year, which I raised in budget estimates, they made the point that government advertising spend in regional newspapers had fallen by over 40 per cent in the previous 12 months. In the 12 months prior to the State election, government advertising spend in regional newspapers was \$2.6 million. In the first 12 months of the new Government, it was only \$1.6 million. That is a million-dollar hit on the advertising revenue that those papers need to survive. In the past two years, ACM was forced to stop printing 16 free community newspapers. A further 16 weekly mastheads disappeared, including *Lismore City News*, *Dungog Chronicle*, *Glen Innes Examiner* and *Country Leader*. ACM has made 208 positions in New South Wales redundant as a result of the declining advertising spend. Those are real jobs and real people.

Both ACM and Country Press are asking for the Government to commit to one page of government advertising every week in every regional newspaper. That would help significantly with the cost of production and distribution. It guarantees that they can keep the doors open and keep people employed. It also means that local communities can keep getting local content. The cost of one full-page ad running for 48 weeks across all 110 regional publications would be \$9.4 million. That is not a lot when you consider the government advertising spend.

It would keep those papers open and provide important information to the community, like when the BreastScreen van is going to be in town, the latest road safety information or information on the campaign to stop domestic violence in our communities. Whatever the Government's advertising priority is, it can be printed in regional newspapers. It is important that this House backs our regional newspapers. The Government spends millions of dollars on advertising, and it should put some of it into country newspapers to keep their doors open and to keep them printing. The Government should back the bush by action and not just by words.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (15:57):** I indicate from the outset that the Government will be supporting the motion. However, I will be moving an amendment. Regional newspapers play a vital role in keeping regional communities informed and provide individuals with a collective voice. They hold to account people in power, including businesses, organisations and institutions like this Government, on matters of

importance. Newspapers and all forms of media not only inform but also provide a platform for people to voice their opinions, call for change, promote initiatives, inspire achievement and support the community.

When talking about regional media, we should not forget the role of regional radio and television in providing information to those communities. While the ABC is government funded, on privately operated stations local businesses take the opportunity to promote their services and products through advertising. We are all aware of the impact that social and online media has had on traditional media like newspapers. Those entities have taken away advertising and readership while cost increases for paper supplies and transport have put traditional local newspapers under considerable business pressures. In August, the *Central Western Daily* in Orange, the *Daily Liberal* in Dubbo and the *Western Advocate* in Bathurst stopped publishing weekday print editions. They have shifted to digital only on Monday to Friday with a paper only being printed on Saturday. The Government is best placed to make an informed decision on how to spend taxpayer funds. It is best placed to know what advertising is required, when it is needed and how much is required to be effective and efficient.

The Government is committed to supporting regional media. Last year our Regional Media Fund grants, which are designed to support innovation and sustainability in regional New South Wales media, provided \$2.25 million to 47 regional media organisations. The Government will have more to say soon about additional support for regional media following discussions with organisations such as Country Press NSW to determine the best method of providing that support. I move:

That the question be amended by omitting in paragraph (4) "through increased Government advertising to regional publishers, including significant and ongoing funding for official advertising in regional mastheads".

We understand the critical role that regional newspapers play as a communication channel to regional communities, but the Government is best placed to determine where the spend is. I note the call from regional media. The Government has had discussions with them in relation to this. But in relation to advertising, the Government has a responsibility to make sure that taxpayer dollars are being spent in an appropriate way. The Government supports regional media outlets being able to get information out to the public. Nonetheless, the Government seeks the amendment.

**Dr AMANDA COHN (16:00):** The Greens support the motion and the amendment moved by the Government. Regional newspapers play an important role in keeping local communities informed about local issues and events, supporting local economies and celebrating local stories and achievements. Many regional mastheads are a longstanding, familiar and established source of public interest journalism, particularly in smaller and rural communities. Financial pressures are one of many challenges facing regional media. While the pandemic accelerated the decline of regional newspapers, the trend was already concerning well before then. Between 2008 and 2018, 106 local and regional newspapers closed, including the *Albury Wodonga News Weekly*. Twenty-one local government areas, including 16 in the regions, were left without any local news coverage during that time. The situation has only worsened since then.

This is particularly egregious in the context of the recent local government election, where there may have been no coverage at all of some contests, which I think we would all agree is not in the public interest. A report titled *Communications, media and internet concentration in Australia, 2019-2022*, released last week, stated that Australia has the second highest media concentration in the world. Our newspaper sector alone is dominated by only four companies, which control 84 per cent of the market. In May, Australia received its lowest score ever in the World Press Freedom Index, attributed to heavy media concentration and severe media cutbacks. Regional newspapers need the freedom to set their own editorial agendas, so that they are accountable to the local community and not to outside interests. The Greens support journalists who have expressed their concerns on the challenges facing regional news. Media, Entertainment and Arts Alliance members have reported their top three most important concerns were the impact of closures of regional media outlets on their communities, reduced coverage of local news like council meetings and sport, and the relocation or closure of regional media to larger, centralised outlets.

Through a memorandum of understanding between the ABC and the New South Wales Government, critical emergency warnings are broadcast promptly on radio, social media and online. The 2022 flood inquiry noted that other media outlets may not have formal agreements, and essential emergency information is regularly shared as it is relevant to their audiences. Regional newspapers and broadcasters, including the ABC, contribute significantly to public safety by providing timely and accurate information. Whether it is providing emergency information about bushfires or floods, sharing health information during the pandemic, or asking the tough questions about government integrity, quality journalism is at the heart of a functioning democracy. In regional areas, local news is also at the heart of its community. The Government can and should do more to support regional media, but that should not be limited just to advertising. I commend the motion to the House.

**The Hon. JOHN RUDDICK (16:02):** I move:

That the question be amendment by omitting paragraph (4).

Paragraph (4) of the motion reads:

- (4) That this House calls on the Government to support regional newspapers through increased Government advertising to regional publishers, including significant and ongoing funding for official advertising in regional mastheads, in both print and online mediums.

The Libertarian Party strenuously opposes this motion that seeks to give taxpayer money to newspapers that are financially struggling. The Government should never pick and choose winners and losers of government largesse. We should let businesses rise and fall on the excellence or otherwise of their product or service. If there is a demand, good businesspeople will meet it. Thanks to the internet, consumers today—including in remote parts of Australia—are consuming more news than at any time in history. They are doing so for free in many cases. That is how good the internet is. This is all a good thing; it is also irreversible.

The Government gets its money from threatening violence against productive citizens. These citizens could donate money to the newspapers if they felt like it. They are obviously not buying the product much. I urge the owners of regional newspapers to focus not on getting free money from the Government but on producing such a great product that their business thrives. That is an innovative idea. If a business is faltering, government money can only prolong the misery for its staff, management and investors. No-one is going to be putting money into these businesses in the future. Reality is going to catch up with them at some point. It is a huge moral hazard when the Government simply gives money to media organisations.

During the dreadful COVID hysteria, the Government was paying huge sums to media outlets. At that time, we needed the media to hold the Government to account and to have a sceptical approach to test whether what the Government was doing was good or bad. But because of the corrupting influence of free money, much of the media was preoccupied with protecting the Government from sceptics and urging the Government to lock us down harder and inject us with warp-speed vaccines—which I think we all now regret, except those who have a very low IQ. The media became pathetically compliant in mindlessly echoing Government talking points during that period of COVID hysteria.

Free media is not genuinely free if its livelihood depends on the generosity of government. Not only should the Government not increase advertising in regional papers—or any media outlet, to be honest; it should drastically cut back all of its advertising, both to remove the influence on media and to save money for long-suffering taxpayers.

**Ms ABIGAIL BOYD (16:05):** I am pleased to contribute to debate on this motion, and I thank the member for bringing it. It is no secret that the media ecosystem is in a precarious state in Australia. Recent years have seen a steady drumbeat of masthead closures, reductions and moves online. This trend has only accelerated following the pandemic. Research conducted by the Public Interest Journalism Initiative makes for sobering reading. It found that 161 news outlets have closed in just over five years between January 2019 and March 2024, which was a sharp acceleration from previous Australian Competition and Consumer Commission data that showed 106 news outlet closures in the 10 years to 2018.

Even where news outlets remained operational, there was significant overall contraction in news production and availability. Regional areas, already underserved relative to metropolitan areas, have been hardest hit by these closures and contractions. While 90 new outlets opened in regional Australia between 2019 and 2024, that benefit was outweighed by the 109 regional outlets that closed, representing two-thirds of total closures nationally. Of the outlets across the country that experienced a contraction in services, 91 per cent were in regional areas.

Since these figures were released, regional communities have been dealt a further blow, with Australian Community Media announcing it will be cutting 35 jobs across 11 newsrooms, following its decision to discontinue printing eight newspapers. These figures should concern us all. Regional newspapers were once the beating hearts of their communities, creating jobs and fostering community. They have told stories that metropolitan and mainstream outlets cannot or will not provide. Local media serves as a vital space for the construction and negotiation of shared identity, belonging and collective memory. In an increasingly fractured and dislocated time for our society, these institutions are more important than ever. They remind us we are not isolated individuals but members of living, breathing, messy, joyous and complicated communities with a shared fate. This recognition promotes active citizenship and collective problem-solving—reflexes and skills that are in desperate need of cultivation.

It is worth acknowledging the complexities of the power of local media and the ways in which the narratives it constructs can also reinforce existing power structures and potentially marginalise certain voices. It is for this reason that we need a diverse and rich local media ecosystem and must resist consolidation and centralisation. The media plays a vital role in the functioning of our democracy. It acts as a crucial conduit of



news, analysis and diverse perspectives on important issues. A well-functioning media acts as a watchdog, holding those in power accountable and reporting on their actions, helping to prevent corruption and abuse of power. I thank the Hon Sarah Mitchell for bringing this motion. Our media ecosystem has been declining for too long, and the Government needs to step up to halt and reverse that slide. Access to news, information and community-building should be recognised as the essential service it truly is and supported as such. This is an issue requiring greater attention and resources, and I look forward to working with the member towards that aim.

**The Hon. AILEEN MacDONALD (16:08):** Today I am speaking up for the heart and soul of our regional communities—our local newspapers. These papers are so much more than ink on a page or clicks on a screen. They are our storytellers, our watchdogs and our connection to each other. I love my weekly *Gyra Gazette*, with its articles of "What's HOT" and "What's NOT" and all the other local articles it has. Regional newspapers keep us in the loop on issues that matter most, and they give us a voice. Whether it is covering council meetings, local school events, or even the little things that make up our everyday lives, these papers tell our stories. Without them, who will do it? The big city media? They cannot and they will not. They do not understand what is happening on the ground in our regional towns and, quite frankly, they do not care.

But now these papers are in trouble. They are being squeezed out by shrinking advertising revenues and mounting costs. In some cases, they are being reduced to what we call ghost papers—publications that are still printed, but barely cover local issues anymore because all the content is coming from far-off head offices. It is a disgrace. Let us not forget that local newspapers are vital to our regional economies. Small businesses rely on affordable advertising space to reach their customers. Tourism campaigns are run through these papers. When that is taken away, we do not just lose the paper; we cut off a pipeline through which local businesses survive and grow. The flow-on effects are enormous.

Beyond the economic impact, let me talk about what really matters—community. These papers bind us together. They celebrate our wins, mourn our losses, and give us a sense of belonging. They are the glue that holds our regional communities tight. When we lose the newspapers, we lose that vital connection. But here is where we can make a difference. The Government needs to step up. It is time for it to back regional papers through sustained and meaningful support. We are not asking for a handout. We are asking the Government to invest in something that serves the public good. I say this to the Government: It cannot claim to stand with regional communities and let their voices fade away. Local newspapers matter. They are worth fighting for. Let us make sure they have the support they need to keep telling our stories and connecting our communities.

**The Hon. STEPHEN LAWRENCE (16:11):** I support the motion and the amendment. As a member of this House who lives in regional New South Wales and who has Dubbo, Barwon, Bathurst, Cootamundra and Orange as my duty electorates, I often interact with newspapers. Like all the regionally based MPs, I too have observed the death of too many newspapers in the areas in which I interact and live in. I give a shout-out to the *Wellington & District Leader*. Mark Griggs is the editor and owner of that paper, which he started two or three years ago, and I understand it continues to be a success.

I listened carefully to the contribution of the Hon. John Ruddick. Even though I do not agree with everything he said, he makes a realistic point. Even though the Government has doubled the assistance that was available previously, realistically that will not ensure that regional newspapers will continue. There needs to be a profit-based model that will result in regional newspapers succeeding. While the figures indicate a steady decline, I hope it is not a case of the community not fully appreciating what they have until it has gone. Regional newspapers are going a certain way and are perhaps being reborn. I say that because I am genuinely convinced that there is a very serious market for local news. People want it. Like everyone, I have observed too many times that a news story behind a paywall gets shared on social media. I have observed the indignation of community members who cannot access it. We can see the desire for local news, but we do not always see a willingness to pay for it.

I think that is a tremendously important factor, but that also speaks to the business model and the content. Perhaps there will be a slightly different model that will emerge and stop this steady decline. Government has an important role to play. I fully support the doubling of funding that the Minns Labor Government has undertaken. I think that is really important. But the Hon. John Ruddick makes a point, which is that that is not a long-term answer. As I have said, the Government has recognised that and has reaffirmed its commitment to ensure the longevity of regional media through funding of \$3 million devoted to advertising and spending in regional community print outlets across the next three years. This additional \$3 million funding injection will support the vital work that regional newsrooms do in providing the news that regional residents need. I note the enthusiasm of members opposite for more funding, but it does not seem to have been matched by the actions in government, as is so often the case.

**The Hon. SAM FARRAWAY (16:14):** I support the very good motion moved by the Hon. Sarah Mitchell. I quote from the *Blayney Chronicle* of Thursday 22 August 2024, which is not that long ago. It states,

"Our final edition. The State and Federal Labor governments could have helped save this paper. Instead, they did nothing." After hearing the Minister followed by the duty MLC for the Bathurst electorate, where the *Blayney Chronicle* was once based, it is clear that he has never read the *Blayney Chronicle* because the Government did nothing. I am not saying that. The paper reported that. It also stated, "An important message to our readers, to the people of Blayney and our loyal readers and advertisers—thank you, and goodbye."

The article goes on to state, "This is the final edition of the *Blayney Chronicle*." It also states, "Broken election promises and Government inaction have forced us to close our paper." I am not saying that. That is what the *Blayney Chronicle* published on 22 August this year in its final edition. It was a newspaper—a community voice—that has been in operation since 1872. The paper reported what the problem is. The paper stated, "Our final edition." It reported that the State and Federal governments could have saved the paper. Instead, they did nothing. Regional papers cover local events and sporting clubs and publish funerals notices as well as reports on local government elections that inform the community. It is really tough because over the past few years things have changed.

Local papers have a huge role to play. It does not matter which political party occupies the Government benches. The Government should continue to force bureaucrats to make sure that we spend and engage with local newspapers. There is a trend of agencies thinking they can bypass local papers, in particular community-run papers that are not part of a larger organisation. The reality is that those who occupy the Government benches have a responsibility of doing something about this problem. The papers have called out the Government, which did nothing. It could have saved local papers like the *Blayney Chronicle*. The paper printed on its front page, loud and proud, that the State and Federal governments did nothing.

**The Hon. CAMERON MURPHY (16:17):** I contribute to debate on this motion because I want to respond to the 4Chan economics from the Libertarian Party. I acknowledge that, in part, the Hon. John Ruddick is right. The decline in not just rural newspapers but newspapers everywhere is a serious problem. Ultimately, I do not think this problem will be fixed by the intervention of the Government. This is about the rise of the internet and the way people consume information. The Government is doing its bit. It is investing \$3 million in the Regional Media Fund and some advertising, which means there is some support for regional publications.

The issue I wish to take up with the position adopted by the Hon. John Ruddick is to say that in part he is right, but we also have to acknowledge that one of the fundamental problems is that social media sites, such as *Facebook*, *Instagram* and even *TikTok*, are stealing content from other people. They are publishing it and republishing it, but they are not paying for the intellectual property rights of using that material. They are making advertising money from somebody else's work. If the problem is to be solved properly, then social media sites ought to be paying the copyright owners, the people paying the journalists who are out there writing the stories and doing the work on the ground investigating issues that are important to communities. They should be compensated for their labour and their work.

**The Hon. John Ruddick:** Well, then people will do it for free.

**The Hon. CAMERON MURPHY:** If people do it for free, that is absolutely fine, but the facts are that they are not. All you have to do is scroll through Facebook to find that social media sites are republishing wholesale the work of other people. Under the current Commonwealth Government arrangements, the social media sites are supposed to pay for that. Media organisation after media organisation has pulled out of the scheme that should compensate that. For small publications, whether industry ones such as finance and banking, or rural media and others, the social media sites are simply not honouring the agreements they made to enter into negotiations to compensate the people for their stolen intellectual property. That is an important part of the equation. If a social media site is going to operate in a way that makes them better, that is great. But if they are just going to steal other people's work that they put effort into, that is not on. Social media sites should be paying people for the intellectual property they are stealing.

**The Hon. SCOTT BARRETT (16:20):** I will try to skim through what I have to say. It is good to be able to talk about how good country papers are, but this motion should not be needed. It states that the Government should do what it promised to do for Country Press NSW. In a world where we all rush out to get our content on the socials, country papers still play such a critical role in our regional communities. That is evident from the number of communities that still publish newspapers with input from volunteers.

The Molong Express is run by Rozzi Smith. It is on hiatus at the moment because she has been through some tough times, but normally she volunteers her time because she knows how important it is. The same thing happens in Eugowra where the Eugowra Promotion and Progress Association publishes a newsletter for the community because it understands how important that is. Government agencies value regional newspapers as well. They are constantly sending out press releases asking for free publication, but there is something better they can do: pay for adverts that would keep these valuable publications out there. The agencies obviously know that

regional publications are important because they are looking for free advertisements. Instead of a decrease of more than 40 per cent in funding, the motion is asking the Government to do what it said it would: support our country papers and our regional communities.

**The Hon. SARAH MITCHELL (16:22):** In reply: I thank members for their contributions. I think the one thing that we all agree on is that printed regional newspapers are really important for our communities, but there is absolutely no way that I will be supporting the amendment moved by the Government. It effectively takes the guts out of the recommendation in the motion. The Opposition wants increased government advertising to regional publishers, including significant and ongoing funding for official advertising in mastheads. I made sure that that was included in the motion because it is the direct ask from Australian Community Media [ACM] and Country Press NSW. I acknowledge the president of Country Press, Lucie Peart, and the managing director of ACM, Tony Kendall. That ask came in the letter that they sent to the Premier in March this year. They asked for significant and ongoing funding for official advertising in regional mastheads in print and online mediums.

Today the Labor Government and, worse, the Minister for Regional New South Wales moved an amendment that effectively said, "We will support you but we will not actually give you what you are asking for." I acknowledge that the Premier met with representatives from Country Press and Australian Community Media after budget estimates. Yesterday I received correspondence about that meeting from Tony Kendall from ACM. It stated:

ACM and the NSW CPA met with the Premier 5 weeks ago and the matter of increased support for regional journalism was raised. The Premier recognised the important role trusted news plays in the wellbeing of communities. He committed to speaking with the Treasurer to see if increased NSW Government advertising could be directed to regional publishers. It is concerning that we have had no feedback since then and the NSW Government continues to spend the vast majority of taxpayer funded advertising dollars on the very social media platforms that they acknowledge are destroying the fabric of our communities.

That is not Sarah Mitchell, The Nationals members or Coalition members saying that; that is a direct quote from these regional publishers. They had their meeting with the Premier, but they have heard nothing since. Today they got from Labor an amendment that completely ignores their request and cuts out anything that requires the Government to do anything to honour its commitment. It said it would spend more money on advertising in those papers, but it is not and those papers are falling down one after the other. The Hon. Sam Faraway talked about what was stated in the *Blayney Chronicle*. I would like to add more. On the front page of its last edition it stated:

Before Chris Minns became NSW Premier in 2023, NSW Labor promised a greater share of government advertising

...

But, in another broken promise, NSW government spending in regional newspapers has, in fact, gone backwards under Labor.

The last lines of the article stated:

To long-standing Blayney readers and advertisers, thank you for backing the *Blayney Chronicle*.

If only our federal and state governments cared about local news as much as you do.

The regional papers and the regional voters know that this Government is letting them down. Those opposite should back this motion as it is and stand up for country papers once and for all.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Sarah Mitchell has moved a motion, to which the Hon. Tara Moriarty and the Hon. John Ruddick have moved amendments. The question is that the amendment of the Hon. John Ruddick be agreed to.

**Amendment of the Hon. John Ruddick negated.**

**The PRESIDENT:** The question now is that the amendment of the Hon. Tara Moriarty be agreed to.

**The House divided.**

Ayes .....22  
Noes .....15  
Majority.....7

AYES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann

Higginson  
Houssos  
Hurst  
Jackson  
Kaine  
Lawrence  
Mookhey

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

## AYES

Graham

## NOES

Barrett

MacDonald

Munro

Carter

Maclaren-Jones

Rath (teller)

Fang (teller)

Martin

Roberts

Farlow

Merton

Tudehope

Farraway

Mitchell

Ward

**Amendment of the Hon. Tara Moriarty agreed to.**

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

**Motion as amended agreed to.**

*Documents***TABLING OF PAPERS**

**The Hon. JOHN GRAHAM:** I table the following paper:

- (1) Music Festivals Regulation 2024—Report of the Music Festival Roundtable for year ended 30 June 2024.

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

**The Hon. CAMERON MURPHY:** On behalf of the Hon. Mark Banasiak: I postpone private members' business item No. 1447 until the next sitting day.

*Motions***WORLD HOMELESS DAY**

**The Hon. Dr SARAH KAINE (16:34):** I move:

- (1) That this House acknowledges that:
- (a) 10 October 2024 is World Homeless Day;
  - (b) World Homeless Day serves to raise awareness about the needs of people who are experiencing homelessness and the need for more support to ensure homelessness is brief, rare and non-recurring; and
  - (c) the 2024 street count recorded 2,037 people sleeping rough across New South Wales.
- (2) That this House recognises that the New South Wales Government has invested a historic \$6.6 billion in the 2024-25 budget to build public homes and tackle homelessness.
- (3) That this House congratulates Nedd Brockmann, who is currently running 1,600 kilometres on foot, raising money and awareness for homelessness, and that as of 15 October 2024, Nedd has raised \$1.7 million for We Are Mobilise, a charity supporting solutions for those experiencing homelessness across Australia.

The 2024 annual street count was conducted between 1 February and 1 March 2024 across 76 local government areas. Street count organisers sought information from housing and homelessness services and worked with local stakeholders, including local councils and people with lived experience of homelessness, to identify known street homeless hotspots and prioritise those locations during their counts.

**The PRESIDENT:** Order! There is too much audible conversation in the Chamber.

**The Hon. Dr SARAH KAINE:** Some 2,037 people were counted in the 2024 count. In addition, there were 241 locations where there was evidence of street homelessness, such as makeshift camps, sleeping bags or personal belongings, but no people present to be counted. Last Thursday 10 October was World Homeless Day. It is an important day to raise awareness about people experiencing homelessness, their needs and the support needed to ensure that homelessness is brief, rare and non-recurring. This Government is committed to making New South Wales a place where everyone has access to safe and secure housing and where homelessness is rare and brief.

The Government recognises that homelessness is a complex issue with no easy solution, but it is determined to tackle it from every angle. That is why the Government invested a historic \$6.6 billion in the 2024-25 budget to build public homes and tackle homelessness. That \$6.6 billion is to rebuild the public housing

system by building 8,400 public homes, fixing 33,500 public homes in need of desperate repair, delivering over 21,000 affordable and market homes across the State, investing in homelessness services, funding crisis accommodation, building affordable rentals for key workers, undertaking the biggest planning reforms in a generation and much more.

It is important to recognise that important advocacy and fundraising work is undertaken by other groups and individuals. I recognise the work of Nedd Brockmann to raise awareness and funds for homelessness, in particular for We Are Mobilise. Last night people watched in person at Sydney Olympic Park and online as Nedd Brockmann completed his 1,600-kilometre challenge. It took him 12 days, 13 hours, 16 minutes and 45 seconds, at an average of 128 kilometres per day. I cannot begin to fathom running 1,600 kilometres. I can run a few kilometres, but 1,600 is beyond me. I cannot begin to understand the impact that doing that over 12 days, round and round a track, has on the body. I thought it best to share Nedd's own words about the physical toll that distance has taken on him. His words are quite topical. He said:

My toes were like King Charles' fingers after day one. I've had no function of my right ant tib since the end of day three ... No sleep because the tendinitis everywhere punches me in the throat come rest time. The feet have swollen three sizes due to the rain/track.

His significant injuries meant that he did not beat the 10-day record that he was aiming for, but his commitment to complete the 1,600 kilometres in spite of it all is admirable. The result is also impressive. He has raised \$2.6 million and counting for We Are Mobilise, a community group that provides recognition and functional care for people facing homelessness across Australia. I also take a moment to reflect on what we as a parliamentary community can do about the immediate issue of homelessness in our community.

I was pleased to hear from the President during budget estimates that, from June, the Parliament had commenced donating leftover food from the Parliament to St Stephen's Uniting Church across the road. Through that program, the Parliament is providing about 60 meals per week. I call on other members here, as I did in budget estimates, to consider how we, with all of our collective capacity, might assist our local community and those people we see when we walk up from St James and when we pass the Reserve Bank building in Martin Place. Surely there is something more we can do, as a community, to tackle the issues that are right outside our door and to provide better support for those in need.

**The PRESIDENT:** Before I call the Hon. Natasha Maclaren-Jones, I advise members that the door to the members' lounge has fallen over and smashed, so I encourage all members to enter and leave through the other door.

**The Hon. NATASHA MACLAREN-JONES (16:40):** I am glad to hear that no-one was injured. The Opposition supports the motion. I begin by congratulating Nedd Brockmann, who finished his 1,600-kilometre run this morning, raising over \$2.6 million. I understand he also did it to support people experiencing homelessness. It is important to acknowledge World Homeless Day and raise awareness about the needs of people who are experiencing homelessness, but to move a motion that effectively high-fives the Government to say it is doing a great job is a bit rich because, due to Labor's inaction, housing affordability is in crisis and homelessness is on the rise.

Across Australia it is estimated that over 120,000 people are without stable housing, a crisis that impacts their physical and mental health, education, and employment opportunities. Under Labor, families are struggling to make ends meet, with increases in household essentials. Food, electricity, rent, insurance and petrol prices are all going up. Specialist homelessness services are overwhelmed, and countless families are struggling to maintain their housing with increases in mortgages and rent, which are crippling them. These are things that they cannot cut back on. If they do, they end up homeless. Over the past 18 months I have been travelling across New South Wales, hearing directly from Australians about how the cost-of-living crisis is impacting them and hearing from NGOs trying to support people and families at risk of or experiencing homelessness. There are growing demands for their services, particularly food relief services, which is a stark indicator of the growing strain that households are experiencing.

Recent research released by the NSW Council of Social Service in its report on the cost of living in New South Wales entitled *Impossible Choices: Decisions New South Wales communities shouldn't have to make* showed that 65 per cent of participants could not pay essential services on time, with over two-thirds of them being subject to housing stress. Because of Labor's inaction, housing affordability is in crisis, with 68 per cent of households experiencing housing stress and 27 per cent in extreme housing stress. The 2024 statewide street count that this motion refers to recorded 2,037 people sleeping rough in New South Wales, which is a staggering 26 per cent increase from the previous year under this Government. Region by region, the numbers are rising: Newcastle has had an 87 per cent increase; Western Sydney, a 50 per cent increase, Liverpool local government area, an 85 per cent increase; MidCoast local government area, a 69 per cent increase; and northern beaches, a 48 per cent increase.

The Government's support system and our specialist homelessness services are stretched. Across the State we are seeing calls to Link2home escalating. Between June 2023 and June 2024 we have seen an extra 30,000 calls. Wait times have escalated to 39 minutes, with reports of youth workers waiting on hold for over 1½ hours, trying desperately to support young people who need housing. This is a crisis that the Government is failing to address. Our homeless sector is under immense pressure, and the Government needs to step up and ensure a brighter future for the people of New South Wales.

**Ms ABIGAIL BOYD (16:43):** In budget estimates this year I asked Minister Jackson about the New South Wales Government's budget announcement on social housing. It was confirmed in that questioning that the \$5.1 billion announced equated to 6,200 new and 2,200 replacement homes over four years. With \$1 billion being delivered in 2024-25, that means approximately 1,025 genuinely new social homes are to be delivered this year. As a result of the money that The Greens secured as part of the Federal negotiations, an additional \$600 million is available under the Social Housing Accelerator Fund. It was confirmed in budget estimates that this additional \$600 million will deliver 1,500 homes over three years. As a result, the total number of new homes to be delivered under Labor's commitment in the recent budget is just over 1,500 homes each year, and I note that the Minister indicated that more money may be secured from the Commonwealth under the Housing Australia Future Fund, but that has not been committed as yet. Finally, the Minister informed us at budget estimates that there are now 56,000 families waiting for homes.

Breaking this down, we are looking at 1,525 new homes per year in the face of a growing waitlist that is already at 56,000 families. In other words, that is a commitment to build 2.7 per cent of what is actually required just to clear the waiting list. At this rate, it will take around 37 years to provide houses for all those currently on the waiting list, and that waiting list continues to get longer. I set this all out not to diminish the fact that the New South Wales Labor Government is doing at least something about the housing crisis, as compared with the previous Coalition Government, but to point out that that something is a disproportionately minor response to the size of the housing crisis before us and to reiterate that this is not a crisis that we can simply build our way out of.

The housing crisis has been brought about by entrenched systemic flaws in our housing system that require far bolder action to fix. It will require leadership and Ministers who will stand up and demand a united, coordinated response to the housing crisis that is sadly lacking at Federal and State Government levels. If, for example, the Federal Labor Government will not do what is needed by reforming the negative gearing and capital gains tax incentives that make it easier for a person to buy their tenth home than to buy their first, then the New South Wales Labor Government should use its own powers to fill in the gaps.

The Greens have long advocated for vendor duty on those homes benefiting from the Federal capital gains tax exemption, for instance. The New South Wales Labor Government could also introduce an empty homes levy. The State Government estimates 15,000 homes in New South Wales are vacant year-round, 45,000 are used as holiday homes and more than 33,000 are registered as non-hosted short-term properties. The Government could increase land tax on luxury homes and non-owner-occupied homes as well. All of those measures would help ease the housing crisis and make a far greater impact on the lives of people experiencing homelessness because homelessness, at the end of the day, is not a housing supply problem; it is a social and economic policy problem. The Government could solve it; it just does not.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (16:46):** I thank the honourable member for bringing the motion to the Chamber and for the opportunity to speak about what we can all do to address homelessness. It is really important to acknowledge first up that whilst World Homeless Day is an opportunity for each and every one of us in the community to look at what we can do as individuals to challenge the kind of systemic and entrenched disadvantage we see in the community, this New South Wales Government does not see action on homelessness as a form of charity—a nice thing to do by occasionally putting a couple of pennies in the government version of a poor box. We see it as core business. It is not about doing the nice thing and getting that important, warm feeling that donors to charity might get when they make a personal contribution. Of course, we welcome that; it is an important part of our social fabric. But that is not the basis on which this Government invests in those services. It does it because it is a fundamental obligation for Government to make sure that people's basic needs are being met. Housing and shelter are basic needs.

We see it as a critical contribution to the social contract. It is also a really important investment. Money spent on homelessness is an investment, and that is the way the Government sees the record \$6.6 billion that it put on the table in the recent budget. It is not about making a contribution and that being the end of it. The dividends that will be paid year on year from building a system in which people are not experiencing the physical health, criminal justice and economic disadvantages and social dislocation that are associated with homelessness will make us all better off in the long run. Those are important principles because, when you see homelessness not as a personal failure but as a policy failure and when you recognise that the historic \$6.6 billion investment is

not charity or a one-off but part of our social contract, you reach the conclusion that the investment is justified and warranted. That is the foundation for our commitment.

Government does have an obligation to step up but, as the mover of this motion said, each and every one of us can make a contribution and has agency. Nedd Brockmann has shown that through his efforts. For him, it is ultramarathon running. I recognise that it is not going to be for everyone, but all of us in our own way and in our own lives can make that contribution. For each and every one of us, the spirit of giving, volunteering, charity, care and concern for our fellow person are really important motivators. We must ensure that the combination of governments making historic investments to change the system and individuals recognising the power and agency leads to the game-changing development of a society in which homelessness is rare, brief and non-recurring.

**The Hon. SARAH MITCHELL (16:49):** I make a contribution in support of the motion moved by Dr Sarah Kaine—the Hon. Dr Sarah Kaine?

**The Hon. Rose Jackson:** All the titles.

**The Hon. SARAH MITCHELL:** Indeed. I acknowledge that interjection. It is a good motion. It is important to pick up on what the Minister said in her contribution. It is a time for us all to reflect on what we can do to support those who have greater needs than we do. Thinking about what I should say about Nedd Brockman, I wrote, "Nedd Brockman equals legend". That could be the end of my contribution because what he has done, particularly in his ultramarathon effort, is nothing short of extraordinary. I will not go into the detail that the mover spoke about in her motion, but I cannot even begin to imagine the physical impact that running that prolonged distance over that time would have on your body, and the mental fortitude that is needed to make it through. It is incredible.

The fact that there was so much money raised and there were so many people there to support him is an obvious testament to the kind of young man he is. He came to prominence in 2022 when he ran from Perth to Bondi. In preparation for the debate, I read that he is originally from Forbes, and that moving to Sydney and seeing more visible homelessness was what called him to action. The reason that resonated with me is that I was in Sydney with my kids during the school holidays in the middle of the year. My girls are 11 and 6 years old. We spent time in the city and my eldest daughter asked, "Mum, how come I see so many homelessness people when I come to Sydney? Why don't we have them in Gunnedah?" I said that we do, but that it is probably not as obvious. There are resources available, but it is not the visible sleeping on streets like in the city.

I had the conversation with my girls that some things are more "in your face" in a metropolitan area. That does not mean it is not happening where we live. It is also a reminder that some people just need help. They are not lucky enough to have a roof over their head, somewhere to stay and be warm and safe, or something to eat. As parents, it is a powerful opportunity to talk to our kids about being grateful for what we have and paying forward whatever gives you an advantage in life. For Nedd, it is ultramarathon running. I can definitely declare that will never be how I do it, but we can find ways to be better humans and support people who need help. In this instance, it is for people who are homeless, but there is a range of great organisations that support people in need. We should be doing it in the positions that we have, and instilling in the next generation that it is important to give to others. I support the motion. I congratulate the member on bringing it before the House so members can talk about something that makes a big difference to a lot of people in the country.

**The Hon. EMILY SUVAAL (16:52):** I also speak in support of the motion and thank the honourable member for bringing it to the House. As has been canvassed by other members in the debate, it is not one simple factor that contributes to homelessness; there are many factors and many solutions. Cost of living is an issue at the moment, as is the lack of available and affordable housing. The Government has taken many initial steps to addressing the crisis, but the solution is not simple. The Government is pulling every lever available. The median cost of rent in Byron Bay at the moment is \$909. That is higher than the inner west, the Hills or Burwood. The median rent in Tweed is \$825. That is more than Parramatta, Hornsby or Canterbury-Bankstown. That paints a picture of some of the issues behind increasing rates of homelessness, particularly in regional areas on the North Coast. Many complex issues feed into the issues up there, but the median rent is one of many.

World Homeless Day was on 10 October. We want to recognise the many non-government organisations, lived experience and community groups that do so much in this space. I was not aware until earlier in the debate that we have made the really wise decision to donate food to St Stephen's Uniting Church. That is a wonderful initiative. I commend your work, Mr President, and the work of the Parliament in doing so. That is really good to hear.

I also talk about the \$100 million Homelessness Innovation Fund recently announced by the Minister. It is a critical fund. We have heard other members talk about the 26 per cent increase in rough sleeping over the past year. The fund will reduce reliance on private hotels and motels and increase listening to expertise and lived

experience of non-government partners and frontline services. It will support the much-needed service delivery overhaul to help the Government deliver and support better responses to homelessness. We heard earlier in question time about the work being done in Telopea. That was social housing that had been boarded up and forgotten. That was one of many steps that the Government is taking to help tackle the homelessness crisis. We can and will do more. I end by acknowledging Nedd Brockman and his extraordinary efforts in this space.

**The Hon. RACHEL MERTON (16:55):** I make a brief contribution in support of the important motion moved by the Hon. Dr Sarah Kaine, acknowledging World Homeless Day and the critical issues of homelessness across New South Wales and beyond. On 10 October 2024 we observed World Homeless Day to raise awareness of the challenges of and remind ourselves of the issues of homelessness and what our role may be. I highlight some of the concerns raised by my colleague the Hon. Natasha Maclaren-Jones about homelessness in New South Wales, including a 26 per cent increase according to street count records. I register my concern about the communities that she listed where we see such an increase. Through visiting communities, I have seen it firsthand when walking down the streets, participating in meetings and coming across those people.

Like the Hon. Sarah Mitchell, I have young daughters. They have been confronted when they come to the city. They see the cardboard box and crate "bedrooms" on the streets and they cannot quite understand how it happens. We then talk about how a lot of it is the result of other issues like mental health, family and employment. Homelessness is very complex and I accept that the Government has acknowledged that today. I also register that I have participated in the street count. I have been in the CBD with a torch with officials. We have looked through the CBD for homeless people. The reality of where those people live in our city can be confronting. I acknowledge the volunteers and the work of the member for Sydney; I was in his team that night.

I also highlight the invaluable work of organisations, churches, charities and community groups. I draw on my direct experience volunteering with the Salvation Army in terms of collecting clothes and working in the Crown Street kitchen. I thought I did an all right job in the kitchen and hope to return again this Christmas. In terms of government services and funding to frontline services, it is also important to acknowledge how valuable the volunteers, community sectors and non-government sectors are in delivering services, the connections they can make to other services and the support they provide— [*Time expired.*]

**The Hon. CAMERON MURPHY (16:58):** I support this important motion recognising World Homeless Day on 10 October this year. Housing is a right, in my view. People should not be reliant on the goodwill of charity and the many organisations that do a terrific job helping people. Housing should be a right. I like that the motion recognises the great work the Minister has done in achieving an enormous \$6.6 billion investment in housing in New South Wales. An important thing about that investment—something that the Minister has spoken about on many occasions—is how this Government will prioritise housing for victims of domestic violence, because one of the fastest growing areas of homelessness that I see in the community is older women who are rendered homeless after a separation. On the one hand, they are starting again with no money because of financial arrangements or, on the other hand, they are fleeing domestic violence and are leaving with nothing and having to start again.

It is a blight on our society that that occurs in the first place. It is the obligation of the Government and all of us as members of Parliament to ensure that people have a roof over their heads, because people have a right to housing. It's a fundamental social and economic right, and it is the obligation of governments to provide that. World Homeless Day recognises the problem. The Government is treating it as a serious issue and doing what it can to fix it. Of course we have to do more. I hope that there will be a day when we do not have that issue, when people do not need to rely on charity for goodwill and when everybody has a roof over their heads.

**The Hon. AILEEN MacDONALD (17:01):** Homelessness is not a choice. It is something that can happen to anyone, from any walk of life, and it is an issue we cannot afford to ignore. On census night in 2021, over 122,000 Australians were experiencing homelessness, and that number is rising. It is not just a statistic; it is people who have lost the stability and security that most of us take for granted. What drives someone into homelessness? There is not a simple answer and there is not just one thing. The cost of living, housing affordability stress or even a sudden crisis can leave someone without a roof over their head. It is more than just rough sleeping. Think of those who couch-surf, live in overcrowded homes or move from shelter to shelter. They are experiencing homelessness too. They may not be on the streets, but they are without a safe, reliable place to call home.

The face of homelessness is changing. More women, especially single parents, are seeking help. Aboriginal and Torres Strait Islander communities are disproportionately affected. People living with mental illness are being left behind. And let us not forget the impact of the current cost-of-living crisis. More than ever, families and individuals struggle to keep a roof over their heads. The statistics tell us that in 2022-23, over 273,000 people sought help from homelessness services. That is a 5.2 per cent increase since 2016, and 53 per cent of those people were at risk of homelessness. It is about more than numbers; it is about the impact homelessness has on real lives.



It is about children who do not know where they will sleep tonight. It is about individuals losing hope because they cannot afford a home, even in a country as wealthy as ours. It is about how we respond as a society.

On World Homeless Day, it is inspiring to see people like Nedd Brockmann, who completed his marathon run today and raised a significant amount of money. Nedd's efforts inspire hope, and I commend his dedication to the cause. But let us be clear: This crisis did not come out of nowhere. The Government needs to step up now. We need to act. We need to ensure that the safety nets are there when people need them most, whether that is better mental health services, more affordable housing or stronger financial support. We must do more. Every person deserves a place to call home.

**The Hon. Dr SARAH KAINE (17:04):** In reply: I thank honourable members for their contributions—the Hon. Natasha Maclaren-Jones, Ms Abigail Boyd, Minister Rose Jackson, the Hon. Sarah Mitchell, the Hon. Emily Suvaal, the Hon. Rachel Merton, the Hon. Cameron Murphy and the Hon. Aileen MacDonald. I do not propose to go through all of the contributions from those members; I only make a few observations. The first one is that the genuine commitment across the Chamber to address the issue of homelessness and other related issues is heartening. While there were clearly points made about the actions of this Government, and points could be made about the actions of the previous Government, generally the spirit in which members engaged in this discussion was one of joint concern and a joint commitment to make improvements.

The Minister for Housing has a true and honest recognition of how vexed and complex the issue is. I have brought motions before the House about homelessness and housing, and I have said almost the same words, not at all in a self-congratulatory way. The \$6.2 million in funding that we have spoken about is important, but in no way have I ever heard or seen the Minister suggest that that is it, the problem is solved and we can tick that box. As I said, it is not self-congratulatory. It is a sobering reality that we cannot celebrate when there is so much work that needs to be done.

As revealed by a number of speakers, it is important to ensure a balance between taking a compassionate approach to those in need and not adopting a paternalistic approach that suggests that they have done something wrong and that we, in our wisdom or luck, will help them. As the Hon. Cameron Murphy said, we share a collective responsibility to provide fundamental rights to our citizens. But we must also match that collective responsibility with a commitment as individuals to do what we can to make things better. I genuinely ask other members of this place who are concerned about our local community, and who are as vexed, troubled and confused as I am as to what we can do to make things better, to have a chat with me. Let us figure out if there is something we can do in our local area to make things a bit better. Please come and have that discussion, and I welcome any suggestions.

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

**Motion agreed to.**

### *Bills*

## **LOCAL GOVERNMENT AMENDMENT (PECUNIARY INTERESTS) BILL 2024**

### **Second Reading Debate**

**Debate resumed from 25 September 2024.**

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:08):** I contribute to debate on the Local Government Amendment (Pecuniary Interests) Bill 2024 on behalf of the Government and my colleague the Minister for Local Government, who is in the other place. The Government acknowledges that there are good intentions behind the bill but does not support it. The stated purpose of the bill is to mandate the declaration by councillors of overseas property interests. However, in our view, it has been drafted in a way that mandates the declaration of all pecuniary interests. Serious breaches involving pecuniary interests are unacceptable. Councillors are elected to serve and act in the best of interests of their community, not to use their positions for financial or personal gain. But in our view, the way the bill has been drafted will remove any flexibility where a conflict is so minor that it will not influence the outcome of a councillor's consideration of a matter.

The bill requires that the model code of conduct contains provisions that require all councillors to declare all pecuniary interests. Without the flexibility of declaring that some matters do not qualify as pecuniary interests, a council considering something like a rate rise may be prevented from doing so. That is because on a council where every councillor is a ratepayer, the bill would require all councillors to declare a pecuniary interest and remove themselves from the chamber. The Government is committed to reducing corruption risks inside the pecuniary interest framework without leaving councils inquorate and incapable of exercising critical functions as a result.

The bill has been prompted by evidence given by the former mayor of the City of Canterbury Bankstown council, Khal Asfour, before the Standing Committee on State Development inquiry into allegations of impropriety against the council. Councillor Asfour gave evidence that he had not disclosed his interest in a property in the Philippines in the return of interests he lodged with the council because he was not required to under the model code of conduct. The bill proposes several amendments to address that. It amends the definition of "pecuniary interest" to state that a pecuniary interest means an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person "including an interest outside New South Wales". It removes the ability of the regulations and a model code of conduct prescribed by the regulations to create exemptions from the requirement to disclose pecuniary interests.

The Government has no argument with the objects of the bill. Councillors should be required to disclose interstate or overseas property interests in their returns of interests. In an age where the risk of interference by foreign governments in decisions by Australian governments has become more pronounced, there is an argument for requiring councillors to disclose interests they hold in real property outside of Australia. There is also a risk that councillors could be "gifted" property that is located overseas by property developers operating in Australia. The obligation for councillors to disclose overseas property interests increases the likelihood of that corrupt conduct being identified.

However, the bill does not deliver that outcome. It confuses two separate requirements under the model code of conduct: the requirement for councillors to disclose certain types of interests in written returns which must be lodged with the general manager and published on councils' websites, and the obligation for councillors to disclose pecuniary conflicts of interest in matters that come before council meetings and leave the meeting while they are considered. Not only does the bill fail to address the issue of overseas property declarations, but it also impacts the second element, which will impede councils from exercising critical functions.

The model code of conduct identifies circumstances where a councillor will not have a pecuniary conflict of interest. For example, a councillor will not have a pecuniary conflict of interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the councillor might make in relation to the matter. There are also other types of interests that councillors are not required to disclose, such as interests in the levying of rates and charges. Without those exemptions, councils would become inquorate when exercising their functions on matters such as rates decisions because councillors are largely ratepayers themselves. It is for those reasons that the Government is opposing the bill.

The Government will be addressing the issue the bill seeks to address by other means. It has committed to requiring councillors to disclose overseas interests in their returns of interests in its response to the previous Government's inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown council. The framework for regulating councillor conduct is under review, with an issues paper out for consultation, and is likely to change significantly. This measure will be included as part of the implementation of that new framework.

The measures proposed in the discussion paper include aligning the requirement to disclose interests in returns of interests with those required for New South Wales members of Parliament, and extending the requirement for interests to be disclosed in returns of interests to interests held by a councillor's spouse or de facto partner, relative or employer. An absolute prohibition will remain on a councillor being involved in any matter before council where they have a pecuniary conflict of interest, unless otherwise provided for under the regulations. The Office of Local Government's investigation powers will be increased to allow it to gather information on corporate structures such as trusts or companies to determine underlying beneficial ownership and interests. It is anticipated that the new framework will be legislated next year.

The Government's proposed measures are a more considered, proportionate and effective response to the issues this bill seeks to address than the poorly executed approach contained in the bill. Any change introduced by the bill will need to be reintroduced by later legislation through the process of reform, as we do not intend for the model code of conduct to operate as it currently does. That is why the Government will be opposing the bill.

**The Hon. NATASHA MACLAREN-JONES (17:15):** I lead for the Opposition and on behalf of the shadow Minister for Local Government, Wendy Tuckerman, to support the Local Government Amendment (Pecuniary Interests) Bill 2024, introduced by the Hon. Tania Mihailuk. The purpose of the bill is to amend the Local Government Act 1993 to clarify that a pecuniary interest covers a pecuniary interest outside of New South Wales, and to require the model code of conduct, which is prescribed by the regulations, to compel councillors and general managers to disclose all pecuniary interests.

Under current section 439AA (4) of the New South Wales Local Government Act 1993, which clarifies the operation of the pecuniary interest provisions in the model code of conduct for local councils in New South Wales, councillors do not have a pecuniary interest in a matter if:

... the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in a code of conduct as not being required to be disclosed.

Recently, some councillors have been relying upon that wording to circumvent the requirement to fully disclose potential pecuniary interests, such as property. In addition, councillors in New South Wales are required under the model code of conduct to disclose interests in real property they hold in any Australian jurisdiction. However, they are not required to disclose interests in real property held outside of Australia.

A report published in February 2023 by the Standing Committee on State Development in response to an inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown council found that there is need for a requirement to disclose pecuniary interests relating to overseas and interstate property. The committee recommended that the Office of Local Government review the model code of conduct for local councils in New South Wales to ensure that the obligation to disclose pecuniary interests extends to overseas and interstate property interests. Indeed, the current code of conduct necessitates a rewrite to address poor councillor behaviour. Whilst the Labor Government has now invited feedback on a proposed overhaul of the councillor code of conduct, it has been slow to respond to the recommendations from the inquiry.

Furthermore, amending the model code of conduct for councils in New South Wales does not guarantee that we can seal the loopholes regarding pecuniary interests. Legislative reform may be necessary. However, this bill is a step forward if one believes in combating impropriety. The bill hopes to restore public confidence in councils and ensure that the dignity of that crucial third tier of government is upheld. It stands up for accountability, transparency and good governance. It will strive to abolish ambiguity regarding the disclosure of pecuniary interests that are held outside New South Wales.

Whilst the current legislation, specifically section 439AA of the Local Government Act, provides a general definition of pecuniary interests, it does not explicitly refer to out-of-State interests. The need to clarify the position has been accepted. As a result, the bill proposes the following changes. In schedule 1 [1], it proposes to insert "including an interest outside New South Wales" after "to the person" in section 439AA (1), definition of pecuniary interest. In schedule 1 [4], it proposes to insert section 440AAA (2A) into the Act, which reads, "The model code must contain provisions related to the disclosure of pecuniary interests, including provisions that require councillors and general managers of councils to disclose all pecuniary interests."

The bill also removes section 440AAA (3) (b) from the Act to ensure that the required disclosure is not at the discretion of the model code of conduct but is instead required by the Local Government Act itself. The people of New South Wales deserve to be able to put their full trust in all ranks of government. Our local governments are vital to the day-to-day functioning of our communities and helping them flourish. People rely on their councillors to represent their needs and to work with the local community. People should expect nothing less than the highest standards of integrity from their local council. Without these amendments, the confidence in our councillors could be undermined, and that could hurt their constituents.

**Debate adjourned.**

### *Motions*

## **PALESTINE ACTION GROUP SYDNEY PROTESTS**

**The Hon. RACHEL MERTON (17:20):** I move:

- (1) That this House notes with concern the ongoing weekly protests in New South Wales that are organised by the Palestine Action Group Sydney.
- (2) That this House condemns the flying of flags of terrorist organisations and the open praise of terrorist leaders during these protests, which not only undermine social cohesion but also glorify violence and extremism.
- (3) That this House acknowledges the significant impact these protests are having on the NSW Police Force, whose officers are required to work overtime to ensure public safety, putting considerable strain on law enforcement resources.
- (4) That this House recognises that these protests have resulted in a significant financial burden on the State, costing millions of taxpayer dollars and diverting essential public resources that could otherwise be used for community services.
- (5) That this House calls on the Minns Labor Government to charge these persistent protesters for the cost of policing.

The weekly protests organised by the Palestine Action Group Sydney, which have been ongoing for 51 weeks, are no longer just expressions of political dissent. They have become a platform for the glorification of violence and terrorism. In recent weeks, we have seen protesters openly flying flags of recognised terrorist organisations, such as Hezbollah, and even displaying the faces of slain terrorist leaders. This is not a peaceful protest anymore. It is an assault on the very values that make Australia the free, democratic nation it is. These images of terrorist leaders, celebrated in our streets, are a direct attack on the social fabric of our community. What message are we sending when these displays of hate go unchallenged? Are we to stand by while our streets become a stage for extremism?

Can those opposite seriously say that flying the flags of terrorist groups and praising their leaders is appropriate free speech? Most Australians see it as nothing more than an endorsement of violence, hatred and division. It is no surprise that my colleagues on the other side of the Chamber are quick to defend the protests; they did so earlier today. Let me remind them that defending the protests is defending the indefensible. While members opposite may claim this is about democratic rights, the freedom to protest and civil liberties, the reality is that the protests are a significant burden on our law enforcement and public resources. The NSW Police Force is already stretched thin, and yet every week our officers are forced to work overtime to ensure public safety at these volatile gatherings. These are not peaceful candlelight vigils; they are mass mobilisations that glorify violence. They require a heavy police presence to prevent chaos from spilling into our communities, like we saw in October last year on the steps of the Opera House.

The financial strain is equally concerning. The cost of policing these protests is enormous. Millions of taxpayer dollars are diverted away from essential services to ensure that these radical rallies do not spiral out of control. Yet we stand here and ask, "How much longer will the people of New South Wales have to pay for this?" The impact on the community and police resources is a serious concern. Metropolitan police stations are being left unattended. The shortage of police, and its impact on the community, is of high concern. This Government, led by Premier Minns, is quick to talk about community cohesion, but it has done little to ensure it. Instead of taking decisive action to stop these protests, or at the very least to make the organisers accountable for their actions, the Government remains silently handwringing in the background. It is about time we held these persistent protesters accountable and charged them for the cost of policing.

There is no doubt that Australia supports the right to protest, but that right does not extend to those who promote terrorism and who disrespect our laws and our culture. It is time to draw a firm line. If the Minns Government is unwilling to do so, then let the Opposition stand for the majority of Australians who are inconvenienced by these weekly spectacles that undermine our values and threaten public safety. I call on the Government to act, and to stop being spectators to this extremism. They must start defending the people of New South Wales from the chaos that these protests cause. The Premier is not doing enough by issuing warnings to protesters. Our streets should be a place of unity, and not division. It is time to take action. I commend the motion to the House.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:25):** I speak to this motion on behalf of the Government and the Minister for Police and Counter-terrorism in the other place. The Government opposes this motion. As a multicultural society, whenever conflict or unrest occur overseas, there will be communities in New South Wales who may be affected and anguished. We know that what is occurring overseas is distressing for many community groups. The Government strongly supports the rights of individuals and groups to assemble and protest, but it will not condone people committing criminal offences when attending demonstrations or public assemblies. During an assembly, procession or protest, police will balance the rights of participants to demonstrate with the need to maintain order and public safety to minimise any disruption or harm to the wider community.

The Government recognises that illegal protest-related activity can cause significant impacts, and it is appropriate that strong penalties apply to act as a deterrent for those who do the wrong thing. The Minister for Police and Counter-terrorism in the other place has repeatedly said that anyone who breaks the law can expect to be arrested. It seems remiss of those opposite to write an entire motion about protests and forget to thank the police for what a fantastic job they are doing. That is quite an oversight, so I will do it instead on behalf of the Government, and hopefully on behalf of this Parliament. The NSW Police Force does incredible work at all times, and deserves recognition. The protest activity has resulted in police involvement, and they deserve our thanks for that work. I place on record that the New South Wales police have done an incredible job to ensure the safety of the community over the past 12 months of rolling protests.

The police set up Operation Shelter to coordinate responses and to gather all intelligence available relating to community sentiment and potential protest activity, to assess risks and to thwart any threats of violence. As of 11 October 2024, a total of 143 individuals have been arrested under Operation Shelter for 347 offences. One hundred and forty-three court attendance notices have also been issued. Police have also charged people in recent days for displaying symbols of prohibited organisations. I also address the Hon. Rachel Merton's comments that protesters should have to pay for police presence at protests. Protesting is legal in this country as long as the protest is peaceful and lawful, and that is not just my view. Others have also supported this view, for example. I quote:

The Government supports the rights of all individuals to participate in lawful protest. Freedom of assembly and speech have long been recognised...

That is a quote from the Leader of the Opposition, Mark Speakman. I do not always agree with him, but I do on this occasion. [*Time expired.*]

**The Hon. CHRIS RATH (17:28):** In New South Wales, the right to hold a peaceful assembly and to protest is enshrined in common law and also implied within our Constitution. This right is a crucial pillar of democracy in our country, and it is unequivocally valued by this side of the House. However, what is not valued and not enshrined within the law is the right to violent, hateful and divisive protest. This is exactly what has been occurring in Sydney's CBD for the past year, from the mass protests held by the Palestine Action Group to the weekly on-campus protests at universities. We all know how it started. It started on 9 October last year—just two days after the Hamas-led massacre on 7 October—when a violent mob chanting "Eff the Jews!" descended upon the forecourt of the Sydney Opera House and proceeded to burn an Israeli flag and throw flares at police. That was just over a year ago and it was the start of repeated protests.

The most recent example of the Palestine Action Group's blatant disregard for peaceful protest was during a mass gathering on 7 October, just over a week ago. Over 10,000 people from across New South Wales attended that protest, including members of The Greens party. Two male protesters were charged with displaying Nazi symbols. One of those men flaunted an Israeli flag that contained a Nazi swastika in place of the Jewish Star of David. This social division is becoming more and more common in New South Wales as the protests continue. This past weekend there was a targeted antisemitic and pro-Hamas attack on a Jewish bakery in Surry Hills. Yet, incidents like this should not come as a surprise. They are the direct result of the pro-Palestine protests across the city. The organisers hide behind claims that they are pro-humanity and anti-violence, and yet they flaunt symbols of swastikas at protests, celebrate the terrorist organisation Hezbollah and its previous leader Hassan Nasrallah, and consistently call to eradicate Jews "from the river to the sea".

What makes the rise in violent protests even worse is that they come at the cost of taxpayers dollars. The Sydney protests alone have been estimated to have cost New South Wales taxpayers over \$5 million, which does not factor in the costs of having a police presence at New South Wales universities. The money used to monitor the Palestine Action Group's protests could have been used to pay a year's salary for 56 paramedics, 52 teachers, 71 nurses, 69 police officers or 113 Service NSW staff. This Government needs to ask itself whether it will keep facilitating and funding the protests that are dividing our nation, or not. [*Time expired.*]

**The Hon. CAMERON MURPHY (17:31):** Three minutes is not enough time to do justice to this misconceived motion. To put up a motion in this place calling for protesters to be charged for the cost of protesting is fundamentally undemocratic and misconceived. There is an implied right to freedom of political communication. To put a price on that, payable by the protest organiser, is to place an unreasonable burden on them exercising their right to freedom of political communication and it would likely be struck down if it were to be challenged. There is a lot of misconception in this place about how protests actually work. In essence, that is also the problem with this motion.

Ignoring any constitutional issues if we were to do what is proposed, at the moment we have a system where protests are lawful. An organiser will submit a form 1, which is, in effect, an application for immunity. In exchange for giving important information to the police—where and when the protest is being held, how many people are attending, where it might go from and to—so that the police can organise the appropriate number of officers to respond to it and manage public safety, the organiser gets immunity from certain offences under the Summary Offences Act, such as obstruction of traffic and the like.

This works well because the police can plan and, in return, protesters know that those charges are off the table. If we fiddle with that system by charging protesters, the effect will be that protests will be organised without a form 1 application being completed. Police will not be informed, and there will be a spontaneous protest that the police are unprepared for. The police will not be able to organise, because they have not been given notice of the event. That is exactly the sort of protest that is likely to get out of control and turn into a riot. Is that what the Opposition is advocating—that there be no organised system, that we do not assist the police to manage protests? Or are Opposition members fundamentally undemocratic and think that all protests in New South Wales should be banned, like in totalitarian regimes? I am in favour of the right to protest. It is the most important democratic right, because it is the democratic right that works to protect all others. By getting on the street and explaining their cause, people who do not have access to the media and money and other advantages can get their message across.

**The Hon. SUSAN CARTER (17:35):** For over a year now, there have been protests every Sunday through the Sydney CBD, halting public transport along one of the busiest arteries of our city, preventing residents from driving their cars through the streets, and preventing local businesses, such as the small bars which this Government claims to support, from receiving deliveries. I am sure most members know of businesses that have been affected in this way, without even contemplating the business impact of having large crowds marching out the front, some of whom have been holding up placards with swastikas on them or flying the flags of proscribed terrorist organisations.

Members of this House have declared that protesters do not need "heavily armed" police officers present in order to protest. But then who will shut down the traffic? Who will keep the protesters safe? Who will keep the passers-by safe? The fact that there have been no violent incidents at these protests shows the important and valuable work that the NSW Police Force has done to keep all members of the community safe. There is a problem, however. We know that the resources of law enforcement are stretched thin, and that the State budget is also stretched very thin. These weekly protests have forced over 200 police officers to work overtime hours every single Sunday to protect protesters and the community. Frontline workers have been protesting outside this Parliament all year. The Government declares that it is unable to give those frontline workers pay rises, but the wages cost alone of having police in attendance at these protests has exceeded \$5 million. This is not a fair exercise of freedom of speech, but an impingement on the lives of all other citizens.

Nobody is calling for protests to be banned. That would be unacceptable. But freedom of political expression does not mean the freedom to close down city streets, interfere with the lives of city residents, and expect all other people of New South Wales to foot the bill for managing traffic and keeping people safe, especially when this interference occurs week after week after week. Earlier, the Hon. Stephen Lawrence posed the question whether any restrictions, such as asking protesters to help meet the costs of keeping them and the community safe during these protests, would meet the High Court's tests in relation to the implied freedom of political communication—in particular, whether any payment, for example, could be reasonably and appropriately adapted to meet the legitimate end. I submit the answer is yes, absolutely, because the burden of meeting these protest and policing costs has exceeded anything that could be considered reasonable. [*Time expired.*]

**Ms SUE HIGGINSON (17:38):** It is difficult to hear the arguments being made about the inconvenience and disruption caused for a few moments, or half an hour, of one day of the week when you think about what these protests are all about and in aid of. People are exercising their rights and their freedoms to come together and collectively express their grief, dismay and anger. They are calling on their Government to do more and to do better to address the genocide that is taking place in Gaza and the State violence that is taking place in Lebanon. They do not have the capacity right now to see the end of this because of the inaction of those who have levers to change things and to do more. People are doing what people inherently do and need to do, and that is come together. There are people who do not understand what it means to need to come together, and I suggest that some of those people are on the Opposition side of this Chamber.

In relation to police resources, the Hon. Cameron Murphy explained clearly the important role of the form 1, the authorisation and the convenience—not the requirement—of the authorisation to the State. That is what the authorisation is about. It assists the police to manage the orderly conduct of certain protests when some minor inconvenience may be designed on roads in public places. That is what the form 1 is all about. The over-allocation of police at protests is absolutely something that this place and those engaging in peaceful, lawful assemblies would love this State to address.

The over-policing of protests must stop. It is not just happening during Sydney protests about Palestine. I will never forget turning up to one of my first protests in Sydney. School kids were striking about climate and there were more cops than there were kids. This State has a real police problem. Right now it would be really helpful to provide a clear message that the evidence is strong and good. These protests are peaceful. They go on largely without event. When there is event, we call the police, they rock up and they deal with it. But in terms of police, chill it off and cool it down.

**The Hon. Dr SARAH KAINE (17:41):** I have been listening to contributions to the debate and trying to marshal any number of responses to some of the things we have heard. My first response is to express impatience at being lectured about divisiveness by an Opposition that keeps bringing to this Parliament motions that are deliberately designed to do just that.

**The Hon. Susan Carter:** They are the concerns of our constituents.

**The Hon. Dr SARAH KAINE:** I acknowledge the interjection about concerns of constituents. I need to explain something to Opposition members, as I have had lots of things explained to me this afternoon by your very generous selves. Except for a few, the people who are rallying are also our constituents. Opposition members ask how long the people of New South Wales have to put up with protesters. But they are the people of New South Wales. They are people who have come with their children to demonstrate and show that many people in this State, including me, have backgrounds from Lebanon, Palestine and other affected areas. They have a legitimate right to express their concerns, their worries and their grief, which was spoken about eloquently this morning by Ms Abigail Boyd. No-one in this place is suggesting that we defend the indefensible.

I do not pretend to join in the debate as a legal expert. The Government has barristers among its members who very eloquently explain the details of how the laws work and why they are important. But I have said that we need to consider where we want to sit, from a historical perspective, with regard to allowing legitimate protests

about deeply important issues. They are important to not only people overseas but also people who live right here and who we represent. Social change takes time. It takes determination and, frankly, it takes a willingness to persist in the face of the apathy, opposition and continual misunderstanding and misrepresentation that comes out every private members' day from Opposition members in this House—and I, for one, have had enough.

**The Hon. JACQUI MUNRO (17:46):** I hope that those who occupy the Government benches have the courage to deliver with such passion in their own caucus the views that they have shared today in this Chamber. Earlier this week the Premier, the Labor leader, said in relation to this issue:

The cost is huge ... so I'm going to have a review into the resourcing that police put into these marches, and it's my view that police should be able to ... deny a request for a march due to stretched police resourcing.

He went on to say:

When you've got someone putting in an application every seven days for 51 weeks to march through Sydney streets, this is costing millions of dollars, and I think taxpayers should be in a position to be able to say we would prefer that money spent on roadside breath testing, domestic violence investigations, knife crimes, rather than the huge resources that's going into the city and the community.

That is what the real Labor voice, that of the Leader of the Labor Party, has to say when it comes to taking a public position. It is all well and good for Government members to speak in this place, but when their leader is saying what we on the Opposition side of the Chamber are saying, it is time to reflect on the caucus and how that party is working.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Order! The Hon. Jacqui Munro will be heard in silence.

**The Hon. JACQUI MUNRO:** It is clear that the Government has its priorities in completely the wrong order when we consider that the Minister for Music and the Night-time Economy talks about music festival organisers paying tens of thousands of dollars for police resourcing when protesters have to pay nothing. In my view the music Minister should be telling festival organiser stakeholders that they should instead be advertising protests because that would free them from the ongoing costs of having police at festivals.

I want to offer a calculation, which I think is very important. If we take information provided by the Government in response to the Hon. Rod Roberts, 8,465 police resources were deployed for the pro-Palestine protests over four months. If we multiply that by three to reflect the full 51 weeks of protests that we have endured so far, then calculate the hours that the police officers were present—let us say four, on average, to be very generous—then multiply that by the amount that festivals are charged per hour for a police officer, which is \$144, we are looking at a cost of \$14.6 million to the taxpayer this year alone for the weekly pro-Palestine protests. That is what the taxpayers of New South Wales have to cough up for those antisemitic, vile, hatred- and violence-inciting protests. [*Time expired.*]

**The Hon. JOHN RUDDICK (17:47):** The Libertarian Party opposes the motion, especially paragraph (5), which calls on the Government to charge for police monitoring a protest. The Hon. Jacqui Munro is entirely correct. She accurately quoted what Premier Minns said a week ago. I heard it live on 2GB. The Premier was agreeing with exactly what the Hon. Rachel Merton said. But all sides of politics are inconsistent on this issue. Even The Greens during COVID did not want COVID street protests. Only the Libertarians are right, as usual. Let us think through soberly the consequences of the Government charging protesters for policing. A protest is a form of free speech. The police and the State must be neutral on protests. What is a protest? Some group, rightly or wrongly, is angry with government about something. Do we really want to give the Government power to weaponise a decision and say, "We're going to charge you for protests, but we're not going to charge them for protests"? That is what this debate boils down to.

At the moment the Government is not neutral, but it should be. When the Libertarians come to power in this State, we will be rigorously neutral. At the moment the Sydney Gay and Lesbian Mardi Gras is given \$400,000 a year to have its little street protest. Then, of course, there is Anzac Day. How many police are there on Anzac Day? Do we charge for them? It is about people saying, "I want to help my protests, but I want to hurt the ones I don't agree with," which is not free speech.

I do not like protests about foreign conflicts. Libertarians are strictly noninterventionist in the world. We believe we should be like Switzerland. I do not like it when migrants come to this country. They leave their failed countries and then bring their stupid politics out here, and I do not like it one little bit. But if we are going to believe in free speech, they have to have their say. Nigel Farage is one of the greatest political leaders in the world. He came to this country, and do members know what then police Minister David Elliott did? About four hours before Farage's presentation to a group of nice, middle-class conservative people, David Elliott threatened to slap Nigel Farage's organisation with a \$50,000 fee to provide police—which were not required—or to shut it down.

The Greens are inconsistent. They have generally been good on this debate, but they did not want the COVID protests. After people had been locked down for two years, getting a bit of sunshine and fresh air was the healthiest thing that they could do. No-one died going to the COVID protests, I can assure members of that. The motion proposes to charge a fee to protest, and that will be weaponised politically—it already is. But this debate is a good opportunity to restate the principle that the cops and the Government have to get out of street protests. *[Time expired.]*

**Ms ABIGAIL BOYD (17:50):** To correct the record, The Greens were actually censured by this House for attending protests during COVID, so maybe the Hon. John Ruddick should look that one up.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** Order! Pursuant to standing orders debate is interrupted to allow the mover of the motion to speak in reply.

**The Hon. RACHEL MERTON (17:51):** In reply: I thank members for their contributions to this important debate. I thank members for sharing their perspectives, passions, experiences and insights. I thank the Hon. Tara Moriarty, who acknowledged the contribution police make, and we join her in thanking them for that. I thank the Hon. Chris Rath for reminding us of the cost of policing antisemitism at the University of Sydney. I thank the Hon. Cameron Murphy for his passion about the right to protest. However, that right does not extend to those who promote terrorism and disrespect our laws, our culture, our community and the values that are held strong here. I thank the Hon. Susan Carter for her contribution. Nobody is calling for the protests to be banned, but the weekly protests are a burden and have a serious impact on the community. I thank Ms Sue Higginson for her contribution. We understand that coming together creates only a short disruption, but it is happening weekly. It is costly and the impact is enormous.

I note the contribution of the Hon. Dr Sarah Kaine, but nobody questions the legitimate right to protest; it is the impact and the consequences of that protest on community resources, government resources and the public. I thank the Hon. Jacqui Munro for her contribution. It is good to remind us of the Premier's position on this issue. The costs are in the millions of dollars, and he put the question to the New South Wales people as to where that money could be better spent. That is absolutely front and centre in this debate. I thank the Hon. John Ruddick for his passion for and belief in libertarian principles. I also acknowledge his recognition of the cost of the protests, reflecting what the Hon. Jacqui Munro cited in relation to that. Finally, I thank Ms Abigail Boyd for her contribution. There is no doubt that Australia supports the right to protest, but that right does not extend to those who promote terrorism and division and who disrespect our laws and our strongly held democratic values. I commend the motion to the House.

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

**The House divided.**

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

#### AYES

Barrett  
Carter  
Fang (teller)  
Farlow  
Farraway

Latham  
MacDonald  
Maclaren-Jones  
Martin  
Merton

Mitchell  
Munro  
Rath (teller)  
Roberts  
Ward

#### NOES

Boyd  
Buckingham  
Buttigieg  
Cohn  
D'Adam  
Donnelly  
Faehrmann

Graham  
Higginson  
Hurst  
Jackson  
Kaine  
Lawrence  
Mookhey

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

#### PAIRS

Tudehope

Houssos



**Motion negatived.**

*Documents*

**BUNGENDORE HIGH SCHOOL PROJECT**

**Further Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 18 September 2024, I table:

- (a) a return received on Wednesday 16 October 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 16 October 2024 from the Cabinet Office of documents subject to a claim of personal information; and
- (c) a return received on Wednesday 16 October 2024 from the Cabinet Office of documents subject to a claim of privilege.

**ANIMAL RESEARCH AMENDMENT (RIGHT TO RELEASE) ACT 2022 CORRESPONDENCE**

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 25 September 2024, I table:

- (a) a return received on Wednesday 16 October 2024 from the Cabinet Office, together with an indexed list of documents; and
- (b) a return received on Wednesday 16 October 2024 from the Cabinet Office of documents subject to a claim of personal information.

**ALBURY HOSPITAL REDEVELOPMENT**

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 25 September 2024, I table a return received on Wednesday 16 October 2024 from the Cabinet Office stating that no documents that are covered by the terms of the resolution lawfully required to be produced are held.

**INDEPENDENT FORESTRY PANEL AND FORESTRY INDUSTRY ACTION PLAN**

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 18 September 2024, I table:

- (a) a return received on Wednesday 16 October 2024 from the Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 16 October 2024 from the Cabinet Office of documents subject to a claim of personal information; and
- (c) a return received on Wednesday 16 October 2024 from the Cabinet Office of documents subject to a claim of privilege.

*Motions*

**NATURE POSITIVE ACTIONS**

**Ms ABIGAIL BOYD (18:01):** I move:

- (1) That this House notes that:
  - (a) the New South Wales and Federal Labor governments co-hosted the Global Nature Positive Summit from 8 to 10 October 2024, which invited participants to "build consensus on the economic settings needed to increase investment in nature" and where "corporate leaders will explore the pivotal role businesses play in achieving our natural and global biodiversity goals and highlight ways to embed nature into corporate strategy";
  - (b) Australia formally adopted the Kunming-Montreal Global Biodiversity Framework in 2022, committing to achieving "nature positivity" by halting and reversing biodiversity loss by 2030;
  - (c) two weeks prior to the summit the Federal Minister for the Environment and Water, Tanya Plibersek, on behalf of the Australian Government, approved three new coalmine projects that had already received prior approval by the Government, and these coalmines cover an area almost the size of Sydney and, according to Australia Institute analysis, will result in 1.3 billion tonnes of greenhouse gas emissions and directly impact threatened species and ecosystems, including the glossy black cockatoo, grey box ironbark woodland, Hunter Valley delma and box gum woodland;
  - (d) since being elected in 2022, the Albanese Government has approved seven coal projects and approved drilling of more than 200 new gas wells;
  - (e) both the State and Federal governments have refused to end native forest logging despite making commitments to protect threatened species;
  - (f) biodiversity credits and offsets are nearly universally discredited by ecologists and experts due to their inability to halt biodiversity loss, lack of transparency and accountability, scheme conflicts of interests and other integrity and assurance shortcomings;

- (g) Premier Chris Minns has admitted that the establishment of the Great Koala National Park has been delayed because of a refusal to halt logging before a system is in place to financially exploit the forests for carbon credits; and
  - (h) biodiversity and carbon credits do nothing to halt climate and habitat damage, but instead merely create a permission structure for corporations to damage and pollute.
- (2) That this House affirms that nature is priceless and will never be protected for so long as governments continue to abdicate their responsibility for protecting the environment by relying on biodiversity and carbon offsets and credits and other market-based schemes and by wrongly assuming that the business community will act altruistically and at odds with their profit motive.
  - (3) That this House calls on both the State and Federal Labor governments to recognise that to be nature positive they must first stop being nature negative, which involves immediately halting native forest logging and ceasing the subsidising and approval of activities by fossil fuel companies that are harming Australia's fragile ecosystems.

It has been over two years since Labor formed government federally and more than 18 months since it formed government in New South Wales. During both Federal and State elections, Labor made commitments to act on climate change and to protect and reverse damage to the environment. There was genuine hope that Labor would deliver. After two years of disappointments and frustrations, the cat is now well and truly out of the bag. When it comes to climate and the environment, Labor is committed to business as usual. Last week the New South Wales and Federal Labor governments co-hosted the Global Nature Positive Summit. The goal of being nature positive by 2030 was set down in the 2022 Kunming-Montreal Global Biodiversity Framework, a historic agreement that committed 196 countries to halt and reverse nature loss by 2030. Put simply, it means that we end the decade with more nature than we started with, not less.

The idea of a nature positive summit sounds good, but if one scratches below the surface, one will quickly see it is little more than a dangerous public relations exercise. In the past 50 years, wildlife populations have declined by 69 per cent. One million species face extinction. There are multiple causes for biodiversity decline. Chief among them are climate change, native logging and land clearing. Did those topics feature in the so-called "global" summit? Some participants were told that the Government is not up to the job of protecting the environment, so we are in need of the private sector to take the lead. The private sector does not do anything without a profit. That is just not how capitalism works.

The substance or colour, green or brown, of commodity production is ultimately immaterial to capital. A capitalist firm is neutral about the nature of its product. Its use value—that is, what it is actually used for—is of no interest to the capitalist so long as it makes a profit. Greenness is a use value and is, at best, a secondary consideration. That was the purpose of the summit: It was a forum for the Government to ask global finance and mega polluters what they can do to make it profitable to not destroy our earth. But it gets worse. Even on that flimsy and morally bankrupt metric, the approach towards biodiversity and ecological protection will fail premised as it is on a market-based scheme of offsets and credits. That is not action. That is not nature positive. That is, at best, nature neutral.

The reality is that study after study, report after report, has exposed serious integrity issues with carbon and biodiversity offsets both here in Australia and globally. The Government is full steam ahead developing a corporate facade for major environmental destruction by the same usual suspects. After approving three new coalmine extensions just weeks earlier, it is no wonder that Labor was in the market for some offsets for its nature-destroying decisions. A nominal ticket saying that the Government has avoided deforestation somewhere else, of land that was never going to be cleared, does not make up for the fact that it just approved three coalmines that will produce more than one billion tonnes of greenhouse gas emissions over their lifetimes and whose footprints would entirely engulf the Sydney electorate of Tanya Plibersek, along with the Prime Minister's adjacent electorate of Grayndler.

Since becoming environment Minister, Tanya Plibersek has approved seven new coalmines or extensions, and 25 more coalmine proposals remain in the pipeline. I do not care how tricky the market mechanism is, there is no offsetting that destruction. If one is to truly grasp the absurdity of the situation, one needs look no further than the farcical situation surrounding the Great Koala National Park. The Government has supposedly said it is going to happen and that it is going to protect the park, yet logging continues. Chris Minns can tell you why. He said that the Government has not stopped logging because it has not yet established a scheme by which it will then get credit and be able to turn a profit for stopping the logging. The Government is creating an artificial demand for logging and subsidising environmental destruction with public dollars so that it can eventually stop logging and create carbon credits. That kind of Möbius strip logic is the logic underpinning the entire scheme, and it is nothing short of absurd.

The credits and offsets will be highly profitable for those who trade in them because they are, in effect, a permission to destroy. Who would want to buy an offset or credit unless it was to get permission to destroy something or pollute? If one is reducing one's emissions, one does not need to offset them. That is the product that the Government is busy preparing: a permission structure for destruction. Nature is priceless, and we need to

protect it. Nature positive is a genuinely admirable and desirable goal, and it is being perverted and distorted by the disgusting, sweaty money of corporate influence and profit motive that dictates the rhythms of our governments. Nature positive is the goal. The very least that Labor could do is stop being nature negative.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:06):** I oppose the motion moved by Ms Abigail Boyd. While Ms Abigail Boyd is very good and high on the rhetoric, she is wrong about what the Government is trying to achieve and the challenges it faces as it tries to protect nature. The New South Wales Minns Government's approach is clear: It is taking serious action on climate change. It is protecting what is left. I note that the member did not mention the fact that the Government has added over 500,000 hectares to the national parks estate. To be clear, there is only around 900,000 hectares as is.

**Ms Abigail Boyd:** How many coalmines?

**The Hon. PENNY SHARPE:** I did not interrupt the member; please do not interrupt me.

**The Hon. Wes Fang:** That is the pot calling the kettle black.

**The Hon. PENNY SHARPE:** I thank members for their contributions. The point is that we need to protect nature because there is a crisis both in climate change and biodiversity. This Government is taking it extremely seriously. It is working with the Commonwealth to deliver its part of the Kunming-Montreal framework, an important biodiversity framework that the Government is committed to. The Government has released the New South Wales plan for nature as part of its response to the review of the Biodiversity Conservation Act 2016, acknowledging the challenges that have been a long time in the making and cannot be waved away overnight. The member would be aware that the biodiversity offsets bill is currently before the Parliament. The Government is working closely with the committee on that bill.

I take the opportunity to thank those who are working in a collegial manner on this, rather than simply throwing rocks from the sidelines. The plan for nature aims to put nature on the path to recovery. The Government has to restore what has been harmed and protect what is left. That is what it is trying to do. It is not cheap or easy, but the Government is fundamentally committed to it. The Government's goal is to leave nature better off than it found it. For whatever time Labor is in government, it will take seriously its ability to turn the dial on the destruction that has been caused. To suggest otherwise is, frankly, offensive.

The plan addresses our election commitments, which include fixing the offsets scheme, stopping excess land clearing and strengthening environmental protections. We have already done that through our upgrade to the Environment Protection Authority penalties, by legislating climate change targets and establishing the Net Zero Commission, which is going to report to Parliament very soon. We are working hard to decarbonise our electricity system in very challenging circumstances, but we are making huge amounts of progress. That is not easy. It is easy to be critical. Governments cannot do all of this alone. It is just a fantasy to suggest that we can stop clearing, do nothing and walk through this issue. That is not how it works. We still need to build things. We need to build renewable energy and housing, and we need to work for that. The Greens' solution is to do nothing and hope for the best.

**The Hon. SCOTT BARRETT (18:10):** There is no doubting the member's passion and commitment to these causes, and it is good to have that passion in this place. Unfortunately, I do not believe that the causes we are chasing today are based solidly in a practical reality. Take coal, for instance. While we are seeing gradual improvements in our renewables, we are still going to need and depend on cheap and reliable baseload power for families paying electricity bills and for businesses that are struggling to provide goods and services at an affordable price. Even if we could find a good domestic coal-free solution to this demand, we then face an international dilemma. The industry and development we have in Australia has been powered by coal, and we could not have got to where we are without it. If we take that cheap power option away from the developing countries we export our coal to, we then hamstring their efforts and aspirations to develop and raise their living standards. There may be other options coming. I sincerely hope they come soon but, until that point, coal is part of our reality.

Hardwood timber is in a similar category. We are not harvesting timber for no reason but because there is a demand for the product. It is sustainably harvested in New South Wales, supporting thousands of jobs, communities, families and industries. We must remember that it is harvested from only a very small portion of our forested land. If our timber industry stopped tomorrow there would be many negative impacts, but it would not lead to a sudden stop in demand for its many products, which would need to be sourced elsewhere. That would not be good for some of our neighbouring countries, the people that live there, their environments or their futures. On both accounts, I am not suggesting we do not look for other options; I hope we find them. We just need a rational, practical and holistic approach. That is not what this motion is proposing, so it will not receive support from the Opposition.

Finally, on a slightly separate but related matter, there has been a lot of talk about how members do not deal with Federal issues and do not interfere with Federal Government. That criticism has come from both Opposition and crossbench members. I hope those cries continue from the culprits when, with a quick look at this motion, I can see that at least paragraphs (1) (a), (b), (c), (d), (e) and (3) refer directly to either the Federal Government or Federal issues. I look forward to that being called out by Opposition and crossbench members as it was earlier today.

**Ms SUE HIGGINSON (18:12):** Obviously I support this motion. But, once again, I raise in this place that we could protect our public native forest estate, and it could be done immediately. The reality is, contrary to some of the contributions we have heard, we know that the products coming out of our forests are incredibly low value. They are products that can be sourced elsewhere, and we are continuing with this relentless idea that logging our public native forest is somehow not one of the most nature negative and destructive things we could be doing. It is archaic and barbaric. The days of logging our public forest estate are well and truly over, and we do not need to do it. We know that it is costing New South Wales millions of dollars in subsidies to do it, so it is a little bit frustrating.

I know that the Minister is working very hard to try to achieve certain things across the Government's agenda for nature in this term of Parliament, but it is not working right now. As my colleague identified, this Government came in on a promise it would create the Great Koala National Park. The reality is that logging has not only continued but also intensified and grown in scope. Those forests are being logged more now than they were in the decades before. It is so rich for Government members to say that they are working as hard as they can when the environmental promise to create the Great Koala National Park has not been delivered and the betrayal of trust around how that is happening is unprecedented. Never before have we heard a commitment to create a Great Koala National Park or any national park, only to then harm it and take away some of the most important environmental values that would make it a national park. It is very difficult to understand and to hear that the Government is trying hard to deliver that commitment.

There is nothing more nature negative and un-positive than logging the public forest estate right now. There is no need for it. It is an insult to all the people across New South Wales who accepted the promise that we would have a Great Koala National Park and that we would do better for the environment on that single issue. I beg and implore the Minister to do whatever she can to end the logging of the public native forest estate as soon as she possibly can.

**The Hon. DANIEL MOOKHEY (Treasurer) (18:15):** I was not intending to make a contribution to this debate, but I feel compelled to because I had the great honour of representing the New South Wales Government at the summit which is the subject of this debate. I have no doubt that lots of people will campaign for various changes at those particular forums and will continue to campaign for issues like those Ms Sue Higginson just raised. But if we had stood here two years ago and said that the New South Wales Government would be hosting the world's first Global Nature Positive Summit, some members of this House—including The Greens—would have been in absolute raptures. In addition, if we had said we would be doing that in partnership with the Federal Government, we would be celebrating that as a massive step towards progress. And so too if we had reported two years ago that, at that very summit, we massively expanded the marine estate, which is what Minister Plibersek announced at that conference. I had the great honour to see the biggest expansion in ocean protection in the world. That is the achievement we made.

If we also said that we hosted First Nations people from New South Wales, the Pacific Islands, Europe, Canada and others, who were in the room with government and business representatives figuring out how to enmesh First Nations economic development with nature conservation, we would have highlighted it as a global achievement, because it is. That is what we organised at the convention centre. I respect the fact that people were out the front campaigning for us to do more. I respect the fact that people inside the room were campaigning for us to do more. I also respect the fact that members of this Parliament are campaigning for us to do more. That is legitimate. That is what happens in a democracy. But let us sit back and say that is an immense achievement, and it is only possible because there has been a change of Government that is prepared not just to match rhetoric but also to put money into it.

The reason that summit is here is that we said we wanted it here. The reason we wanted it here is that we want New South Wales to be a world leader in being nature positive. Far from trivialising that, I have the completely opposite view. We should see it as a platform for progress. That does not stop our capacity to make more progress. It does not stop our capacity to continue talking about how we deal with forestry issues that members want to raise. But let us not malign what we have achieved, because that is the result of a campaign that lots of people have waged over many years. It was an honour to be at that summit and represent the Minister. It is an honour to see what more we will do as we make New South Wales a leader in the global nature positive goal.

**The Hon. WES FANG (18:19):** I start my contribution by acknowledging the contribution of the Treasurer, who noted that the Government was prepared to put its money where its mouth is and hold the nature positive conference. Obviously, nothing much will happen as a result of that conference. It is yet another waste of money by the Treasurer; I acknowledge that at the start. In relation to the motion, I draw members' attention to paragraph (1) (f), which states:

- (f) biodiversity credits and offsets are nearly universally discredited by ecologists and experts due to their inability to halt biodiversity loss ...

It is an interesting point. I do not necessarily disagree with Ms Abigail Boyd on this point, but we only need to look back a couple of years to when the Coalition was in government and made a commitment to build dams. We put money aside for planning and construction of those dams. What really impacted that from a business case perspective was the astronomical cost of the environmental offsets. In some respects they cost the same as building the dams themselves, effectively doubling the costs of the projects. I understand that those costs need to be borne by government, but when the Coalition Government was trying to build dams to ensure water supply for communities and farmers for both environmental irrigation and town supply, the cost became prohibitive because of those environmental offsets. Let's accept that Ms Abigail Boyd is right and that those offsets are effectively a waste of money—that we are charged these costs for absolutely nothing.

We lost the opportunity to build those dams when there was a drought and an accepted need. People forget in the good times, when dams such as Warragamba are full. It is when Warragamba is low and there is a drought that people ask, "Why didn't we build more dams?" We had the momentum, the funds and the impetus to do it, but the environmental offset costs effectively scuppered the projects. If Ms Abigail Boyd is right and offsets do absolutely nothing anyway, why do we impose them on ourselves? Why do we put a handbrake on development for something that probably does not work? We could have built those dams and supported communities for generations to come with that investment, but we put a ball and chain on ourselves. We have done that and we did not build those dams. We need to look at those things in totality. If Ms Abigail Boyd is right and it is all bunkum, then we have lost a huge opportunity for absolutely nothing.

**The Hon. RACHEL MERTON (18:21):** I speak in opposition to the motion put forward by Ms Abigail Boyd. What could we expect of a motion from a party that thinks that "cocaine should be available like alcohol"? The Greens are radical, out of touch and lacking common sense. The motion calls for an immediate halt to native forest logging and supports ending the fossil fuel industries. I have spoken at length on the essential roles those sectors play in both the Australian and New South Wales economies. It is vital we address the reality of their importance.

To claim, as the motion does, that halting native forest logging and fossil fuel projects will somehow lead to a nature positive future is misguided and reflects a fundamental misunderstanding of the needs of regional communities and the economic drivers of New South Wales. The Greens' vision for Australia not only jeopardises economic stability through such policies; it also seeks to stifle the dreams of aspiring home owners, especially those who value the beauty and sustainability of native timber homes. The Greens want to remove support for first home buyers, making it harder for young people to buy or build their first home.

I note the by-elections to be held this Saturday in Epping and Hornsby. I hope voters have received information relevant to The Greens on those fundamental issues. Voters need to know what The Greens stand for and represent. They need to be informed of the party's policies on drugs, first home owners and construction. Native forest logging, done sustainably, provides jobs, supports regional economies and ensures the continued supply of timber, which remains a critical resource. The industry is highly regulated, ensuring that environmental consequences are balanced with economic needs. It is easy to sit in the Chamber, disconnected from the realities faced by those who work in those industries and the businesses that invest in and operate them, and propose such sweeping changes. I strongly oppose the motion.

**Ms ABIGAIL BOYD (18:24):** In reply: I thank all members for their contribution to the debate. I pick up on a couple of things. The first one is what happens every time The Greens call out Labor for not doing something it said it would do: We get told we are throwing rocks, that we are somehow being fanciful; the one that they know sticks is when they tell us we are being offensive. What is offensive is that Labor Party members, while in opposition, sat in the Chamber and opposed coal seam gas, fracking and the Santos project in Narrabri, only to get into government and support them. What is actually offensive is for Labor members to say that they abide by and agree with all the climate science and scientists and then, when they are in government, to somehow claim that does not apply anymore and it is not as urgent as they thought it was when they were in opposition.

What is offensive is for Labor members to say that they agree with climate scientists that we need to have no new coal or gas, then say that The Greens are being offensive when we call out the Labor Government for approving new coal and gas, which is absolutely against the science that those members said that they agreed

with. It is offensive to say to the public at large that Labor is the party that is somehow going to protect the environment, when it cannot even do something as simple as establish the Great Koala National Park because it is apparently waiting for magical offsets to come along. It is offensive to keep telling The Greens that we are wrong for calling out the Labor Government on what is the most pressing threat of our time, when we are told that this decade is the last one in which we can possibly avert catastrophic climate change, and when we have to go home to our families and communities on the weekend after standing in this Bizarro World of a Chamber where people think they can just keep burning coal and logging native forests and that somehow it is all going to be okay, despite the scientific evidence and the overwhelming majority of the world looking at us.

I note the Treasurer said that he is so proud that we have held the first global nature positive conference, where we flipped the concept on its head and made it all about business rather than protecting nature. Our nation is a laughing-stock. We are the third largest exporter of fossil fuels in the world. The Pacific nations are saying, "You're drowning us. Our entire countries are going underwater because of what Australia is doing." Then we have the Treasurer of New South Wales standing up and saying how proud he is that we got businesses together to tell us what we could pay them and how we could incentivise them to not destroy the Earth. It is a joke. It is offensive. I call on Labor to finally do the right thing.

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

**The House divided.**

Ayes .....5  
Noes .....30  
Majority.....25

#### AYES

Boyd (teller)  
Cohn

Faehrmann  
Higginson (teller)

Hurst

#### NOES

Barrett  
Buckingham  
Buttigieg  
Carter  
D'Adam  
Donnelly  
Fang  
Farlow  
Farraway  
Jackson

Kaine  
Latham  
Lawrence  
MacDonald  
Maclaren-Jones  
Martin  
Merton  
Mitchell  
Mookhey  
Moriarty

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

**Motion negatived.**

#### *Documents*

### **RACING NSW AND NSW POLICE FORCE**

#### **Further Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 25 September 2024, I table:

- (a) a return received on Wednesday 16 October 2024 from Racing NSW, together with an indexed list of documents subject to a claim of personal information; and
- (b) a return received on Wednesday 16 October 2024 from Racing NSW of documents subject to a claim of privilege.

#### **Tabling of Correspondence**

**The CLERK:** According to the resolution of the House of Wednesday 25 September 2024, I table correspondence received on Wednesday 16 October 2024 from Racing NSW stating that as Racing NSW is not subject to orders for the production of documents made by the House under Standing Order 52, documents have been voluntarily returned.

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

*Bills***REGIONAL COMMUNITIES (CONSULTATION STANDARDS) BILL 2024****Messages**

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendment to the bill.

*Motions***SYDNEY METRO 24-HOUR SERVICE**

**The Hon. NATALIE WARD (20:06):** I move:

- (1) That this House notes that:
  - (a) the former Liberal and Nationals Government planned, funded and built the Sydney Metro North West and Sydney Metro City lines;
  - (b) Sydney Metro has transformed how commuters live, work and play around Sydney, and is a tremendous success story for the Sydney community; and
  - (c) Sydney Metro running 24-hour services for communities in Sydney will help see the city flourish from the cultural, economic and social benefits of a thriving and connected 24-hour economy.
- (2) That this House calls on the Minns Labor Government to implement 24-hour services on Thursday and Friday for Sydney Metro North West and Sydney Metro City lines.

How good is Sydney Metro? It has revolutionised how people in Sydney get to live, work and play across our city. After a very avoidable delay to the opening, it is working. I give some credit to the current Government. It appears that the Government can operate a driverless metro, but only if it has a driver. We hoped it would be driverless, because then it would be union-less. But, alas, Labor is tied to its puppetmaster. Nonetheless, everyone is loving the metro—driverless, drivers, union-less, unions; it is all there. I move the motion to seek the support of the House to make the metro operate for 24 hours on Thursdays and Fridays because it will do so many good things from so many different perspectives. It has the backing of many business groups across Sydney.

We can all agree that a 24-hour metro on those two days will boost the economy. It will help to move people around our city late at night. It will support business. It will bring a new vibrancy to Sydney and it will be good for hospitality staff and shiftworkers. From the Government side, it means more hours for the Rail, Tram and Bus Union drivers on the driverless metro trains, so it is a win-win. As I reflect on some of my previous work during the night-time economy inquiry—which I was privileged to chair—together with the Hon. Ben Franklin, the Hon. John Graham, Ms Cate Faehrmann and the Hon. Mark Latham, never would I have thought that a highlight in my parliamentary career would be hanging out in Kings Cross with the Hon. Mark Latham. But we did.

The inquiry heard from a number of stakeholders who identified a lack of transport options as a contributing factor to violent incidents occurring late at night. Unanimously, the committee recommended that the costings be performed to determine whether 24-hour rail transport would be feasible on weekends. I commend and acknowledge the tourism and the night-time economy Minister for some of his work in opening opportunities for local night-life. He is doing a good job. I thought he might be here so I could pay him the compliment, but I hope he reads about the acknowledgement.

**The Hon. Mark Buttigieg:** I will pass it on to him.

**The Hon. NATALIE WARD:** I thank the Hon. Mark Buttigieg for doing that. Opening the metro 24 hours on Thursdays and Fridays will help cater to a range of users because a 24-hour metro could, in fact, accent the Minister's new brunch-focused tourism strategy. We are intrigued to see how that will progress, this night-time economy at brunch. With a 24-hour metro, you could, for example, join the Liberals for dinner in Crows Nest, get to a wine bar with the Libertarians and have a scotch with the Hon. Rod Roberts—but certainly not a bottle of the commissioner's gin. You could meet The Greens at Club 77 and dance late into the night, before taking a metro ride to a vibrant brunch with Minister Graham, and, if you so choose, the recovery party could be with the Hon. Jeremy Buckingham.

I urge the Minister and the Government to say yes to a 24-hour metro on Thursdays and Fridays. I urge Minister Graham to not be a metro nimby. There are no increased metro benefits yet. Acknowledging that the metro could be the lifeblood of the night-time economy, it could boost the business in each of those areas. Shiftworkers and hospitality workers who work nights want to get home safely. We have the evidence that shows that we should be costing it. The results of the inquiry back us on that; we were unanimous. I acknowledge that it would take new staffing and that might need to be worked through. I am happy for that to be so. I do hear from

the Government that maintenance might be the issue, but I am sure maintenance can be rescheduled to make it work. The operator has confirmed that directly. If we can put drivers on driverless trains and a man on the moon—and if we can make brunch a thing again—surely maintenance can be reorganised and Sydney can have her 24-hour metro on Thursdays and Fridays. I commend the motion to the House.

**The Hon. MARK BUTTIGIEG (20:11):** The Labor Party opposes the motion, not because we do not support public transport services—of course we do—but because any change to the timetable must be based on evidence of operational need. That will be a decision for the New South Wales Government. There would be an additional cost to the public. All those considerations need to be weighed up. I note that in the motion moved by the shadow Minister, the Opposition is very keen to claim credit for the metro, as it has consistently done. The Government has appropriately acknowledged the work of the former Government in establishing the metro project. A fact not mentioned in the motion is that it was those opposite who signed the contract for the current operating hours. That's right: The motion seeks to ask the Government to do something that the former Government specifically did not do in its self-declared design of the metro.

Sydney Metro City operates until 2.23 a.m. on Friday and Saturday nights at a frequency of every 10 minutes from 8.30 p.m. until close. Services commence the following morning and 4.35 a.m. That is 22 hours of operation on those nights. We expect the operator to independently look at options to improve the service offering at metro; that is the operator's job. Right now there are no planned changes to the current Sydney Metro timetable. Any plans for alternative service patterns would need to be done in alignment with the broader transport network and the maintenance schedule. For major events such as New Year's Eve and Mardi Gras, services do run throughout the night and significant planning is undertaken to allow those extended services to run.

Running 24-hour services every weekend would reduce the time available for maintenance activities, which could result in reduced services at other times. Sydney Metro is part of a larger public transport network that is delivering services on trains, buses, light rail and ferries across days, late nights and early mornings. Transport for NSW already runs all-night services with our NightRide buses, which replace most train services between midnight and 4.30 a.m. on key transport corridors to ensure that public transport is available 24/7. There are all-night services on 30 bus routes that provide public transport access across Sydney. Friday and Saturday nights have trains, light rail and ferries servicing regular routes late into the night. The Government will continue investigating options to make our public transport system safer, more reliable and more responsive to passenger needs at any hour of the day. Therefore, the Government opposes the motion.

**The Hon. ROD ROBERTS (20:14):** I make a contribution to debate on the motion brought by the Hon. Natalie Ward. I support this motion. It is a good motion but it fails in one area, which I will get to shortly. I always apply a forensic approach—disciplined as I was in my extensive note taking for this contribution, as members can see! Let's do a forensic examination of the motion. Paragraph (1) (a) reads:

... the former Liberal and Nationals Government planned, funded and built the Sydney Metro North West and Sydney Metro City lines ...

That is true; it is a statement of fact. I acknowledge the contribution of the Parliamentary Secretary and numerous other Government members who have acknowledged that it was the previous Government that built it. Let's give subparagraph (a) a tick in terms of whether we support this motion. Subparagraph (b) reads:

Sydney Metro has transformed how commuters live, work and play around Sydney, and is a tremendous success story for the Sydney community ...

It is a tick again. How can anybody deny that? So far everybody should be supporting this motion. Subparagraph (c) reads:

Sydney Metro running 24-hour services for communities in Sydney will help see the city flourish from the cultural, economic and social benefits of a thriving and connected 24-hour economy.

Again, that is completely factual. We should all tick that. Paragraph (2) reads:

... this House calls on the Minns Labor Government to implement 24-hour services on Thursday and Friday for Sydney Metro North West and Sydney Metro City lines.

That is where the motion fails; it should also say Saturday, as far as I am concerned, but I do not intend to amend it. Of course the Government should do that. The motion does not say that it must do it next week; it just says it should be implemented. Of course it should. What city does not have 24-hour public transport services?

**The Hon. Jeremy Buckingham:** Dubbo doesn't.

**The Hon. ROD ROBERTS:** I will not acknowledge the interjection. The Hon. Jeremy Buckingham has thrown me off. I have only got 53 seconds left. The Hon. John Graham constantly talks about the 24-hour economy, which I fully support. We need to move people safely around. We are building the Western Sydney



airport 24/7. Why? That is because that is what is needed in a modern city. Billions were spent on the metro. That is well-spent money but to make it worthwhile, it needs to operate 24/7. There are shiftworkers. The Labor Party supports workers. Police, nurses, ambos, firies, baristas and all sorts of people work 24/7 now. They should be able to get to work safely at night. There are so many good things about this motion. If you break it down and look at it forensically, there is no way that the Government side of the House could oppose it.

**The Hon. CHRIS RATH (20:17):** Sydneysiders love the metro. We want it to be 24 hours and we want it to be driverless. There is a first time for everything. This is the first time that I actually agree with the Rail, Tram and Bus Union [RTBU]. I agree more with the RTBU than with the Hon. Mark Buttigieg and the Hon. Bob Nanva because I believe the metro should run 24 hours and so does the RTBU. On this motion the Opposition side of the House is more pro-RTBU than the Government side of the House. Earlier today I was reading a fantastic article from a couple of months ago about the Labor Party conference, entitled "Rail union and Young Labor to pressure Minns government for 24-hour metro". What a great idea! The article stated:

The push to run metro trains around the clock will be debated at the NSW Labor conference this weekend, with NSW Young Labor and the Rail, Tram and Bus Union (RTBU) putting forward a joint motion on the issue.

Their push calls on the party to recognise that "the lack of late-night public transport is a major issue for young people, and a major barrier to Sydney establishing itself as a vibrant 24-hour city".

What a fantastic motion the Labor conference had before it in July. Did it get up? It would be good to know from those opposite whether the motion passed because it is a fantastic motion. If they voted for the motion at the Labor conference, like I know the Hon. Bob Nanva did, then they should vote in favour of the motion tonight. They should vote for a 24-hour metro. Members on this side of the House love the metro; those opposite sort of like the metro sometimes. It should run 24 hours a day.

The metro is very much the child of Gladys Berejiklian, Mike Baird and all of the transport Ministers, Premiers and Treasurers of the previous Liberal-Nationals Government. Sydney draws in over 600,000 workers every day, with up to 37,000 people using the new Sydney Metro during peak hours. The driverless high-speed trains have decreased commuting times, decreased times between trains and decreased traffic on Sydney roads as commuters switch to the efficiency of the new metro. Just the other day, I was looking at timetables and there were delays on different train lines across Sydney, but there were no delays on the metro. There were no delays because the metro is fast, efficient, safe and completely driverless. Of course it should run 24 hours a day. It should start with Thursday and Friday nights but eventually also run on other nights, just like Young Labor and the RTBU have pushed for. On this side of the House, we love the metro. Let us make it run 24 hours a day.

**Ms CATE FAEHRMANN (20:20):** The Greens support the motion moved by the Hon. Natalie Ward, but I move an amendment. I move:

That the question be amended by omitting in paragraph (2) "on Thursday and Friday" and inserting instead "seven days a week".

The Greens have long advocated for 24/7 public transport. We have long advocated for free public transport as well, but I will leave that for another motion. I echo the contribution of the Hon. Mark Buttigieg about the contracts that were signed. It is fabulous to hear Coalition members talking about how great the metro is. I love the metro as well. It is absolutely fantastic to sit in the carriage thinking, "Am I in Japan? Am I in Paris? No, I am actually in Sydney. We have finally got a metro." However, when the Liberal Party was in government, it signed the contract so that the metro did not run 24 hours a day, even on Thursdays and Fridays. I am curious as to why the Opposition has not included Saturday in the motion.

The Government's 24-hour strategy goes on and on about the night-time economy, which is a good thing. The Government talks about how the 24-Hour Economy Strategy has a vision to forge globally acclaimed 24-hour precincts. The strategy acknowledges that there is a lack of reliable and late-running transport and that it does not include any plans to introduce 24-hour transport. There needs to be 24-hour transport to support a 24-hour economy. It was my questioning that picked apart the Western Sydney airport and the fact that there is no plan to have 24-hour transport when that 24-hour airport opens. We cannot just have the metro coming from the airport running 24 hours a day; there needs to be an interconnected 24-hour transport system. The Greens support the idea. It is a pity that it did not come from the Liberal Party a decade ago when it signed the contracts, or even a few years ago. That would have been great. As usual, the Liberal Party has a few good ideas now that it is in opposition.

**The Hon. RACHEL MERTON (20:23):** I speak in strong support of the motion put forward by the Hon. Natalie Ward, which once again allows us to highlight the tremendous success of the Sydney Metro North West and City and Southwest lines, and calls on the Minns Labor Government to implement 24-hour services on Thursday and Friday nights. I recall my first ride on the metro at the opening of Crows Nest station. I was there with my colleagues the Hon. Natalie Ward and Mark Speakman. Commuters were excited. There had been a delay to the opening, as the Government would well know. Commuters were not quite sure on that first

morning whether the metro was running or whether it was another false start. International tourists had planned to come to Sydney, but the metro was not running.

I enjoy talking about visible, life-changing infrastructure programs that the Liberal Party and The Nationals planned, funded and built. There is an opportunity for the Government to continue building on the transformative infrastructure delivered by the former Coalition Government. The Hon. Mark Buttigieg talked about other transport modes in New South Wales that run late. Some run 24 hours a day, but Sydney Metro seems to be the missing link. The Hon. Chris Rath talked about the Rail, Tram and Bus Union [RTBU] and the motions at the Labor conference. Will the Government listen? It is not listening to the RTBU. Is the Government listening to commuters? Is it listening to the business community, which wants to use the opportunity of extended running times to attract more customers and build their business?

The ability to jump on and off a train that will arrive on time, without the frustration of delays or overcrowding, has made Sydney Metro an integral part of daily life. With the motion calling to extend the metro on Thursday and Friday nights, in light of the drivers that are now on the driverless trains, perhaps they could be nights off for drivers if that is agreeable to the unions. The trains are driverless; the drivers can take a night off. The infrastructure will run itself, being a driverless mode of transport. I urge the House to support the motion and call on the Minns Government to make the responsible decision for the future of Sydney.

**The Hon. DAMIEN TUDEHOPE (20:27):** We have a Minister in this House who is a Minister in name only. He talks about himself as the Minister for Music and the Night-time Economy. The Opposition had all sorts of high hopes for the manner in which he would embrace that portfolio. He makes lovely announcements about the things that he wants to achieve. He does not achieve a lot, but he makes the announcements. When a practical proposal is put to him that will enliven the economy, he squibs it. There is no embracing of a serious proposal to energise the night-time economy. One can only be left with the conclusion that the Minister is captured by the bureaucrats that surround him. He says, "This is too hard. We have to do this before that."

Ministers should accept ministerial responsibility. It is equivalent to the stance he took today by not taking responsibility for what happened at a construction site Christmas party. He does not want to take responsibility for driving the transport system to support the night-time economy. The Minister should drive it, not wait for something to happen. It is becoming a problem with this Government: There are announcements but nothing ever happens. It is all very well for those opposite to say they have targets, but none of them will ever be achieved because the Government is demonstrably stuck in quicksand and unable to achieve its goals. The Hon. Rod Roberts is right. I have the concurrence of the Hon. Natalie Ward to move an amendment to the motion to also include Saturday. I move:

That the question be amended by inserting in paragraph (2) "and Saturday" after "on Thursday and Friday".

In her contribution Ms Cate Faehrmann asked why it was not 24/7 already. There is a simple explanation. We accept the Government's explanation that the contractor said it needs time to do maintenance on the train system's rolling stock. We accept that. In conjunction with the operator, it is possible—and they have already accepted that it is possible—to run those trains 24/7 on Thursday, Friday and Saturday. I have moved an amendment to include Saturday. I think it is an eminently supportable motion if the Government is serious about driving the night-time economy.

**The Hon. JACQUI MUNRO (20:30):** I support this motion. It is important to ensure that we have the appropriate services that our city needs to be vibrant and exciting. If you build it, they will come; it is not the other way around. We cannot just wait until people are stranded on the streets, which is what people are facing at the moment. If the Government is serious about an agenda that includes a vibrant night-time economy, it should be serious about delivering the appropriate infrastructure to support that night-time economy. It is not difficult. We know what we need—we need a 24/7 metro. That is what this motion is all about. It is not like there needs to be reviews, policy changes and research done about it. We know that people want that infrastructure.

I note some research that was done recently. One organisation that has lobbied very hard for this change is the Night Time Industries Association. It is a wonderful group that represents lots of businesses. Individual workers who are keeping the night-time economy running have also asked for a 24-hour service. More than half of the people coming out late at night—53 per cent—are earning less than \$80,000 per year. This motion is about a cost-of-living measure as much as anything. People need to feel safe getting around the city. They need to travel home safely and they may not be able to afford an Uber or a taxi. They are not going to walk home, so we need to provide them with a way to get around the city if we are serious about Sydney being a global destination that people from around the world want to come to.

I also note that, according to data, patrons under 20 currently make up just 7.5 per cent of late-night visitations in the City of Sydney, while 20- to 24-year-olds make up only 8.3 per cent. The majority of people who are going out in the city are over 25 years old. They are looking for a way to get around. But we also need to

encourage that younger cohort, which will be facilitated by important, world-class infrastructure that includes a 24/7 metro. This motion is about holding the Government to account for the things it says it wants to achieve, when it is not actually providing a pathway for people to engage with its so-called vision. It is very simple and basic.

The Hon. Rod Roberts moved an excellent amendment, which will ensure clarity and that people are well serviced. Industry groups are calling for this change, and we understand that work is underway—apparently. But where is the clarity? Where is the vision? Where is the leadership? We do not get that from this Government, but that is what we need if we are serious about delivering a vibrant night-time economy and a 24-hour economy fit for a global city.

**The Hon. NATALIE WARD (20:33):** In reply: I thank all members for their contributions. I too was persuaded by the compelling argument put forward by the Hon. Rod Roberts. We should include Saturday night.

**The Hon. Greg Donnelly:** Saturday night fever.

**The Hon. NATALIE WARD:** I cannot understand why Government members did not jump to their feet to embrace Saturday night fever, as the Hon. Greg Donnelly said. To the Parliamentary Secretary, who will make a fantastic Federal member and will be able to party the night away in a Federal job, a 24-hour service will be fantastic for New Year's Eve and Mardi Gras. Thursday and Friday nights are also fantastic. Diwali and the Moon Festival are fantastic. In fact, we need to be out late to see the moon for the Moon Festival. Vivid is fantastic. The service should be 24/7, and the operator said it can happen.

I welcome the amendment moved by the Hon. Damien Tudehope. It makes sense and the Opposition will support it. The Hon. Chris Rath is our newest applicant for the Rail, Tram, and Bus Union [RTBU]. I hope he gets the T-shirt and the membership form. It is fabulous to see. We know that RTBU members welcome this as well, because they will be spending more time not driving driverless trains! It is magnificent. What better Kafkaesque universe can we exist in than one with a brand-new metro with drivers on driverless trains, who can do more not driving. I cannot believe the Hon. Bob Nanva did not jump to his feet to support his RTBU mates and say, "Comrades, more not work for you." I have two words for Ms Cate Faehrmann, who served on the night-time economy inquiry with me, about the reason it is not 24 hours, seven days a week—David Elliott.

The operator said some time will be needed to carry out maintenance. There is nothing wrong with dreaming big, and that is what I love about Ms Cate Faehrmann. She is not afraid to dream big, and global cities have seen what great things can come of dreaming big. We welcome some maintenance, which the operator has said is needed. The Hon. Rachel Merton, as always, has made a valuable contribution. Again, she notes that the drivers will get more time to not drive the metro. She was very concerned about them and the great contribution they will be making. Perhaps they can serve cocktails on the metro. Perhaps we can have a bar and increase the night-time economy opportunities! The RTBU can branch out. The Hon. Jeremy Buckingham is getting a business idea here.

The Hon. Damien Tudehope, as always, was absolutely clear about the responsibility that Ministers are required to take, when they are all talk. Even one of their titles includes night-time economy. In fact, there might have been an amendment to change the Minister's title. He should be the brunch Minister. Let's get the rosé out and go back to 1990. It is important that we hold the Government to account. I thank the Hon. Jacqui Munro for her evidence from the industry group. I commend the amendment to insert the word "Saturday" in paragraph (2) in addition to "Thursday and Friday" for the Sydney Metro. I commend the motion to the House.

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** The Hon. Natalie Ward has moved a motion, to which Ms Cate Faehrmann and the Hon. Damien Tudehope have moved amendments. The question is that the amendment of Ms Cate Faehrmann be agreed to.

**Amendment of Ms Cate Faehrmann negatived.**

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** The question now is that the amendment of the Hon. Damien Tudehope be agreed to.

**Amendment of the Hon. Damien Tudehope agreed to.**

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

**Motion as amended agreed to.**

#### MEDICINAL CANNABIS

**The Hon. JEREMY BUCKINGHAM (20:39):** I move:

- (1) That this House notes that:
  - (a) an increasing number of medical practitioners in New South Wales are being reprimanded, investigated or punished by the Therapeutic Goods Administration [TGA] and the medical practitioners board for prescribing medicinal cannabis in accordance with patient needs and established medical guidelines; and
  - (b) there is a growing body of evidence supporting the therapeutic benefits of medicinal cannabis in treating a range of conditions, including chronic pain, epilepsy, cancer-related symptoms and mental health disorders, and the growing acceptance of its use both in Australia and internationally.
- (2) That this House calls on the Government to:
  - (a) urge the TGA and the medical practitioners board to reconsider their punitive approach toward medical professionals prescribing cannabis and emphasise a framework that encourages responsible prescribing, promotes patient access and supports the wellbeing of individuals who benefit from medicinal cannabis;
  - (b) engage in meaningful dialogue with medical professionals, patients and advocacy groups to ensure that doctors prescribing medicinal cannabis are protected from undue scrutiny in their clinical decision-making, provided they act in good faith and within established clinical guidelines; and
  - (c) provide greater clarity and transparency in the regulatory environment surrounding medicinal cannabis in New South Wales, including reforms that would protect practitioners from regulatory overreach, encourage research and facilitate better patient access to this crucial medicine.

I bring attention to an issue that goes beyond politics and cuts to the heart of what it means to provide compassionate, evidence-based health care in New South Wales. Good doctors are being punished for doing what we expect of them—that is, doing their job to treat their patients in the best way they see fit. What is their so-called crime? Prescribing medicinal cannabis, a legal treatment under New South Wales and Australian law, and one backed by a growing body of evidence for its many therapeutic benefits. Let's be clear: Medicinal cannabis is not some fringe idea. It is not a fad. It is a legitimate form of medicine that is helping hundreds of thousands of patients manage chronic pain, epilepsy, cancer-related symptoms and more.

Despite all that, doctors who prescribe medicinal cannabis are being subjected to investigations by the Pharmaceutical Services Unit [PSU] and medical boards. The question is why. Why are those doctors, who are following the law and acting in the best interests of their patients, being singled out and scrutinised? The heavy-handed approach is not only unjust; it is harmful. It creates fear and uncertainty for medical professionals, who are already walking a tightrope between caring for their patients and navigating complex regulatory frameworks. They should not be walking that tightrope with the threat of punishment hanging over their heads. What message are we sending to doctors? That prescribing a legal, effective treatment could end their careers.

It is not just about cannabis; it is about how we as a society treat our healthcare professionals. We are asking them to make difficult decisions every day and we are punishing them when they do. Are we investigating with the same zeal doctors who prescribe opioids? The answer is no. Are we probing every prescription for antidepressants or painkillers with the same intensity? Again, the answer is no. The focus is squarely on medicinal cannabis, and it reeks of a double standard. We are in the midst of an opioid epidemic in this country. Accidental overdoses from opioids kill as many people as the road toll, yet that medication and the prescription of it is not subject to the same interrogation by the PSU.

I also raise a specific concern: the idea that women doctors might particularly face questions about whether their ability to prescribe medicinal cannabis is somehow affected by their biology. The mere thought that a woman's menstrual cycle could be evaluated in considering her professional judgement is frankly absurd but has been occurring in the investigations by the PSU. It is offensive. If that is where those investigations are heading, we have an even bigger problem on our hands. The time has come for the Government to take a good, hard look at how we treat the doctors on the front lines of patient care. It is time to end the punitive approach and replace it with one that supports doctors in their role as caregivers, not regulatory scapegoats.

I thank Mr Ben Fordham, who has been raising on his program on 2GB the issue of the punitive approach of some parts of NSW Health to medicinal cannabis prescribers and highlighting some of the atrocious cases that have led to some doctors facing interrogation and having their careers ended because of the attitude that the Pharmaceutical Services Unit and the Medical Board have taken. I have raised the issue with the Hon. Ryan Park. I wrote to him early this month, and his reply to me was alarming. He wrote:

The objective of NSW Health's regulatory activities on cannabis medicines, in addition to other high-risk medicines is to ensure safe and appropriate prescribing ...

No-one is dying or overdosing from medicinal cannabis. That is absolutely true, yet we have thousands of people in this country dropping like flies from accidental opioid overdoses. Are we seeing doctors being deregistered for prescribing opioids or antidepressants? No, we are not. So why medicinal cannabis? Because it is a threat to big pharma. It is a threat to the status quo. I urge honourable members to consider the issue and support the motion.

**The Hon. EMILY SUVAAL (20:44):** I thank the Hon. Jeremy Buckingham for his motion concerning Federal prescribing guidelines for medicinal cannabis. I indicate that the Government supports the intent of the motion. NSW Health supports and encourages research and encourages responsible prescribing. However, I note for the record that we do not agree that there has been an overreach, and I take the opportunity to provide greater clarity around how those medications are regulated in New South Wales.

The Australian Government has responsibility for managing access to cannabis medicines through the Therapeutic Goods Administration [TGA]. The Commonwealth Department of Health regulates medicinal cannabis products through the TGA and the Office of Drug Control. Cannabis medicines are regulated like any other medicine. They are expected to be free of contaminants, have a consistent amount active ingredients and be produced in a safe and appropriate way.

There are only two registered cannabis medicines: Sativex and Epidyolex. Those medicines are only registered for use in specific medical conditions. However, most of the cannabis medicines prescribed in Australia are unregistered products, which means they have not been tested for quality, safety and efficacy by the TGA. Compared with other registered medicines, robust data, evidence and clinical guidelines that support the use of cannabis medicines is limited. NSW Health has proactively sought to improve the evidence base through the funding of a number of clinical trials on the use of cannabis medicines.

More research is also being done. The scientific evidence base supports the use of cannabis medicines for severe muscular spasms and other symptoms of multiple sclerosis and some types of epilepsy with severe seizures. There are ongoing research trials into more uses. I am advised by the Minister for Health that NSW Health is committed to enabling access to cannabis medicines for the treatment of specific medical conditions when more established therapies are ineffective or unsuitable.

Regulatory action taken by NSW Health is always carefully considered and undertaken in the interests of public health and safety. Reporting from SafeScript NSW, a real-time prescription-monitoring system, for the period from 1 September 2023 to 29 February 2024 showed evidence of excessive prescribing and dispensing to certain individuals of high-THC medicinal cannabis products using web-based telehealth models of prescribing. For example, over five days in March, over 22,000 medicinal cannabis prescriptions were issued.

Some 42 prescribers, with 14 located in New South Wales, are responsible for approximately 50 per cent of medicinal cannabis prescriptions issued in New South Wales or supplied to New South Wales residents, and 12 pharmacies, with five located in New South Wales, are responsible for approximately 50 per cent of medicinal cannabis prescriptions dispensed in New South Wales or supplied to New South Wales residents. It is important that access to medicines is safe, evidence based and appropriately regulated. NSW Health is currently treating cannabis medicines as it would treat other similar medications, and it will continue to do so.

**The Hon. JACQUI MUNRO (20:47):** I thank the Hon. Jeremy Buckingham for bringing the motion to the House. The Coalition has a proud legacy of supporting medicinal cannabis in New South Wales, most notably under the leadership of Premier Mike Baird. From the beginning, it has been committed to a well-regulated system as a critical part of the appropriate medical use of cannabis. It is still something that we are deeply committed to. Under the Baird Coalition Government, and with the strong advocacy of the member for Tamworth in the other place, the Hon. Kevin Anderson, the process of setting up clinical trials for the use of medicinal cannabis was established in 2014.

The personal story of a 24-year-old terminally ill man, Dan Haslam from Tamworth, moved Premier Baird. Dan was using cannabis to relieve the effects of chemotherapy, which he was undertaking at the time to treat bowel cancer. Our State, under the Coalition, led the way in Australia on an issue that is now regulated through the Federal Therapeutic Goods Administration. Under the Federal Coalition Government, the cultivation of medicinal cannabis has been legal nationally since 2016 through a licence system. With the advice of people including former Chief Scientist and Engineer Professor Mary O'Kane, the Government was able to chart a pioneering course on medical cannabis.

To build the evidence base for the impact of medical cannabis, in 2015 the Baird Government did a number of important things, including establishing the Centre for Medicinal Cannabis Research and Innovation to educate the community, help stakeholders navigate regulatory processes and monitor the New South Wales Government funded clinical trials. It also provided more than \$9 million over four years to fund clinical trials in three areas: reducing seizures in children with severe treatment-resistant epilepsy, preventing nausea and vomiting in chemotherapy patients, and enhancing the appetite and appetite-related symptoms of palliative care patients with advanced cancer. It also launched the NSW Cannabis Medicines Advisory Service to provide support and clinical advice to doctors considering prescribing a cannabis medicine to a patient. That is now embedded within the John Hunter Hospital pharmacy department.

A lot was done at that time to ensure that there were appropriate regulatory frameworks in place that would monitor and care for people who needed medicinal cannabis treatment. I do not need to go over the SafeScript figures that the Hon. Emily Suvaal spoke about. SafeScript is an excellent way to ensure that there is oversight. The numbers we have say that today almost 3,000 doctors are registered prescribers. We have a solid framework; we just need to ensure that it is maintained. [*Time expired.*]

**Ms CATE FAEHRMANN (20:50):** I support the motion of the Hon. Jeremy Buckingham. It is disappointing that this motion has to be brought in the first place considering that we are talking about a legalised medicine prescribed by trained medical professionals. New South Wales is seriously behind when it comes to drug laws and continues to take a heavy-handed approach, despite it being proven to cause discrimination against certain groups and minorities as well as more harm than good. That approach has meant users and prescribers are being subjected to immense scrutiny in a way that causes intimidation and creates hurdles for those trying to access help when they need it.

My office has been contacted by stakeholders who have noticed a concerning crackdown in the regulation of medicinal cannabis prescribing. They have told me that users of medicinal cannabis who are or have in the past been on an opioid treatment program, for example, seem to be most affected and are receiving notifications from major online providers discharging them from the service due to that history or current treatment. I have also been informed that GPs are being subjected to increased regulatory scrutiny by the Pharmaceutical Regulatory Unit and at times are even being fed misinformation.

After contacting the health Minister about those concerns, my office was advised in June that he would ensure that a review of the process for approving applications is undertaken to make sure it does not unintentionally restrict prescribing for patients registered on the opioid treatment program. I understand there has been no news of a review since and no end to the unfair treatment of medicinal cannabis users and some prescribers. Again, we are dealing with a medicine being prescribed by medical professionals to people experiencing medical conditions, some of which are extremely debilitating, like chronic pain, post-traumatic stress disorder and epilepsy. This medicine is being prescribed usually as a last resort—even though it should not be—to people who have tried other prescription drugs that have not worked. Indeed, as we know, that is often a requirement to get prescribed medicinal cannabis in the first place.

Why are people who take, and medical practitioners who prescribe, this legal medicine looked at with suspicion and scrutiny? Why are there still, for example, discriminatory driving laws in place that force medicinal cannabis users off the road for fear of losing their licences? Why, unlike other States, does New South Wales still require paper receipts for schedule 8 medicines, making it extremely hard for some medicinal cannabis businesses to stay afloat? The answer is that New South Wales is still far behind other States and places in the world when it comes to drug laws and harm reduction. Its harsh attitude towards medicinal cannabis prescribing is just one example of that.

**The Hon. TAYLOR MARTIN (20:53):** I support the motion and I echo the concerns of Ms Cate Faehrmann. The motion of the Hon. Jeremy Buckingham goes to the heart of the sort of resistance to change that was always going to be inevitable with natural plant-based medicine, which does not really fit in with the long-developed regime of pharmaceuticals. Further complicating things is the fact that until 2016 this substance—a plant—was categorically illegal. It is still illegal without your name on the prescription. In a media release from the Australian Health Practitioner Regulation Agency, the head of the Therapeutic Goods Administration, Professor Tony Lawler, said:

... the recent large rise in the number of patients accessing unapproved medicinal cannabis medicines and the changing way in which these products are prescribed and dispensed through telehealth consultations and medicinal cannabis clinics means the regulatory system has to keep pace, to ensure patients are not being harmed.

Cannabis has been legalised for medicinal use for eight years. It has been extremely helpful for many Australians. I understand the reluctance of the medical establishment to be overly enthusiastic about a natural plant-based solution when the processes are heavily skewed towards traditional, man-made chemicals, made and contributed by pharmaceutical companies. But let us not throw the baby out with the bathwater and have an unnecessarily heavy-handed response to the implementation issues of such a novel scheme that is doing so much good.

There seems to be a level of misdirected resentment of medicinal cannabis, usually through claims that it is a high-risk drug. Let us briefly look at a few of the alternatives. Opiates, like oxycodone and the like, have absolutely ravaged vulnerable people seeking pain relief. There is a long-raging epidemic in the United States in relation to those drugs. Benzodiazepines are very effective but also extremely addictive. It is crucial to note that the effectiveness of cannabis can vary greatly from person to person. That is one reason why it is not prescribed in the first instance but rather, as Ms Cate Faehrmann said, is a last resort when other pharmaceuticals have been tried and found to be unsuitable for a patient.

The Pharmacy Guild estimates there have been over 295,000 prescriptions for medicinal cannabis in the past two years. Exact statistics are hard to pin down, but what can be generalised and extrapolated from the data are some of the reasons for the use. A very close friend is living with multiple sclerosis. Chronic pain is a constant part of their life. Their prescribed cannabis alleviates that pain and allows them to live their best life while managing their lifelong condition. Similarly, another close friend made use of their prescription during palliative care. On the less serious end of the scale, another friend has resorted to a prescription after years of trying to address chronic pain. Their prescription allows them to function day by day. There are hundreds of thousands of similar stories. I think it is important— [*Time expired.*]

**The Hon. JOHN RUDDICK (20:56):** The Libertarian Party supports the motion of the Hon. Jeremy Buckingham, which calls for the Therapeutic Goods Administration and the medical practitioners board to ease up their harassment of doctors who are prescribing cannabis to their patients. Medicinal cannabis is a legal product. Doctors are within the law to prescribe it. But I know doctors in this field, who I have spoken to today, and they confirm that there appears to be an escalating campaign of harassment. The Government is already too involved in too many parts of our lives. The Libertarian Party commends our friend the Hon. Jeremy Buckingham for his laudable campaign against this example of over-regulation, and we invite him to extend his clear thinking on this issue to the many other examples of government over-regulation.

Endlessly, I have people in my office with heartbreaking stories who make a compelling case about excessive government regulation that is harming their industry for no good reason. I am, of course, too polite to point out to them what is always going through my mind, which is "I agree entirely with you. I have sympathy for you and, yes, I will try to do something to help you, but did you ever lift a finger to play your role as a citizen to prevent this Big Brother government getting so bossy. But now you only care when it impacts your interests." People should wise up and vote Libertarian before the Government comes for them.

**The Hon. JEREMY BUCKINGHAM (20:58):** In reply: I thank all honourable members for their contributions and support for this motion. I thank the Hon. Emily Suvaal, who highlighted the wide and growing use of medicinal cannabis. I also thank the Hon. Jacqui Munro, the Hon. Taylor Martin, Ms Cate Faehrmann and the Hon. John Ruddick for their contributions. In particular, I thank the Hon. Jacqui Munro for putting on record the work of Lucy Haslam and the late Dan Haslam, and former Premier Mike Baird and his administration, which led the charge in the regulatory reform that brought about the creation of the medicinal cannabis framework that we have and worked to establish the efficacy of that medicine.

I thank the Hon. Taylor Martin for his contribution, which highlighted the wide range of people using medicinal cannabis. They use it for a wide range of reasons, and they use it incredibly safely. There is no epidemic of people presenting in hospital with cannabis use disorder, or schizophrenia or bipolar disorder triggered by the use of medicinal cannabis. There are risks to the use of medicinal cannabis; I acknowledge that. But the SafeScript regime ensures that a doctor, if they are doing their job, can see all the medicines that people who are using cannabis are also taking. There is a process for those professional health practitioners to go through when talking to people about their health to ensure that it is appropriate that they have medicinal cannabis. Questions are asked such as "Do you have a history of bipolar, schizophrenia or other mental health conditions that may mean that medicinal cannabis is not appropriate for you?" So there are safeguards in place.

I note the contribution of Ms Cate Faehrmann. Why is there a crackdown on medicinal cannabis? Patients who have been on the opioid treatment program are being targeted, which is of grave concern. There have been 7,700 hospitalisations related to opioid use in New South Wales in 2021-22. That is an area where regulators really need to crack down. There is an epidemic of addiction to opioids and, as the Hon. Taylor Martin said, benzodiazepines. There is a real threat from opioids, and that should be the focus. I thank all members for their considered contributions to debate on this motion. I commend the motion to the House.

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

**Motion agreed to.**

#### MENTAL HEALTH AWARENESS MONTH

**The Hon. EMILY SUVAAL (21:02):** I seek leave to amend private members' business item No. 1436 by omitting in paragraph (3) "further notes that the Government".

**Leave granted.**

**The Hon. EMILY SUVAAL:** Accordingly, I move:

- (1) That this House acknowledges that:
  - (a) October is Mental Health Awareness Month; and

- (b) Mental Health Awareness Month is an international day for global health education and awareness for those struggling with mental ill health.
- (2) That this House recognises that two in five Australians aged 16 to 85 are estimated to have experienced mental ill health at some point in their lives.
- (3) That this House acknowledges the lived experiences and lives of people who have experienced mental ill health and is committed to providing dignity and genuine health care to those in need.

October marks Mental Health Awareness Month, and it is an important time to reflect on the impacts of mental ill health on our community. This year the theme of Mental Health Awareness Month is "Let's talk about it"—a theme that highlights the importance of having open, honest discussions about mental health at any time of the year. When thinking about the theme, I wanted to acknowledge that while talking about mental health is becoming more and more normalised, which is great, there is still more that we can do to improve. Some mental illnesses are talked about more than others. While a lot of us now have a good understanding of anxiety and depression symptoms, some mental illnesses are still the subject of quite a lot of stigma. They need to be talked about more and better understood.

I have talked a lot in this place about eating disorders, but tonight I talk about schizophrenia. It is a mental health condition that can impact a person's perception of reality and their behaviour. According to ReachOut, schizophrenia is estimated to affect one in every 100 people across Australia. It is slightly more common in men than in women. People living with schizophrenia often report the following symptoms: having unusual ideas or beliefs about themselves or the world, some of which may be frightening; hearing sounds or voices other people cannot hear or seeing images that others cannot see; having the feeling that others might be in control of their body or their thoughts; having trouble with thoughts getting jumbled, so that it may be hard to make sense of what people are saying or to express themselves clearly to other people; and exhibiting behaviour that seems odd or that other people might find strange.

I have chosen to speak about schizophrenia today as it is a deeply misunderstood mental health condition that unfortunately is often met with a lot of stigma and even fear in the community, even today. However, the condition can be managed, just like any other mental illness. The first step to managing schizophrenia is talking about it and raising awareness. I lived in supported accommodation for two years with someone who lived with schizophrenia. She was in her late thirties. She worked in temp roles as admin support. She enjoyed shopping, watching movies and singing, and she was very neat and tidy. In fact, I credit my pet hate of leaving crumbs on the bench to her. She was caring and kind, she was a devout Catholic and she also shared with me that her voices were as real as my voice. Sometimes she ignored them; sometimes she spoke with them; sometimes she told them to shut up. Sometimes she experienced being tickled and would laugh out loud.

My housemate had monthly clozapine injections as part of her treatment, which she hated. The side effects of the depot injection were deeply undesirable. Among the common side effects of clozapine, 50 per cent of people experience weight gain, up to 50 per cent experience hyperlipidaemia, over 50 per cent experience hypersalivation, or excessive drooling, and 50 per cent experience tiredness. But she knew it was the only medication that had been shown to work and keep her well, so she took it. She was a good housemate and a good person. I think of her often. That is why I wanted to talk about schizophrenia today, if only briefly, as we debate this motion in the House.

I acknowledge the great work WayAhead does in promoting Mental Health Awareness Month every year in New South Wales. I am happy to inform the house that WayAhead will be here again next Thursday for Mental Health Awareness Month. We need to ensure that our health system and our mental health care are consumer centred, recovery oriented, trauma informed, culturally responsive and built with and for our community. I commend the work of the Minister for Mental Health. I extend my thanks to her staff, who I know are deeply committed and do a lot of work in that space. I also acknowledge the record \$2.9 billion commitment in the budget this year and the funding initiated for the Single Front Door for mental health. That will deeply improve people's engagement with mental health in our system. The Government is committed to improvements in the mental health system and the health system more broadly. It is committed to continuing the conversation and recognising people's lived experience. I commend the motion to the House. Let's talk about it.

**The Hon. AILEEN MacDONALD (21:07):** I speak in support of this important motion acknowledging Mental Health Awareness Month. Mental health is a challenge that affects too many Australians. As the motion highlights, two in five Australians aged 16 to 85 have experienced mental ill health at some point in their lives. Those are not just statistics; they represent people we know—our family members, friends and colleagues. By recognising October as Mental Health Awareness Month, we take an important step towards breaking the stigma surrounding mental health issues. Public campaigns like Mental Health Awareness Month educate and empower, reminding us that mental health is just as important as physical health and encouraging those in need to seek help.



To highlight the scale of the issue, approximately 20 per cent of Australians experience a mental health disorder each year, and 45 per cent of Australians will experience a mental health disorder in their lifetime. Youth mental health demands urgent attention. One in seven young Australians experiences a mental health condition each year, and suicide remains the leading cause of death for Australians aged 15 to 44. That stark reality underscores the importance of early intervention and access to appropriate mental health services. However, despite the growing awareness, nearly half of Australians with a mental health condition do not access the help they need. That is especially concerning for those in rural and regional areas, where access to services remains a significant challenge. The New South Wales Government's commitment to expanding mental health services is a step in the right direction; however, there is still more to do.

The human and economic costs of untreated mental health conditions are simply too great. They are estimated at \$70 billion annually. Beyond the financial costs, the impact on lives, families and communities is immeasurable. By supporting this motion, we reaffirm our commitment to breaking the stigma and ensuring that every Australian has access to the mental health care they deserve. This is about creating a society where mental health is prioritised and every individual is given the opportunity to lead a life of dignity and wellbeing.

**Dr AMANDA COHN (21:09):** The Greens support the motion. Mental Health Month is an annual event dedicated to raising awareness and fostering open conversations about mental health. The theme this year is "Let's talk about it", so let's talk about it. This is the second time in a month that the Government has introduced a motion to acknowledge a day of significance relating to mental health. The mover of this motion and the Minister both say a lot of the right things. In general, I do not disagree with many of their comments both tonight and in previous discussions.

The Minns Labor Government has now been in government for over 18 months. My support for this motion would be more enthusiastic if those words were accompanied by action and a meaningful increase in resourcing. The Government has committed to a range of reforms, including suicide prevention legislation, a functional peer workforce framework and reform of crisis responses to mental health emergencies toward a health-led response. Those commitments are welcome, but I would rather be debating the implementation of the reforms than another motion acknowledging the Government's stated commitments to do those things at some stage. Mental health care is health care, but it is not yet treated that way.

As this House has already noted, last year the Australian Institute of Health and Welfare found that mental health issues represent 15 per cent of the total burden of disease in New South Wales, but only 6.5 per cent of the State's health budget was spent on mental health. The budget is a pretty revealing look at the genuine priorities of the Government. For a number of people, recent announcements feel like rearranging deckchairs on the *Titanic*. Mental health is health, and we must transform our health system to reflect that. All people deserve free and universal access to timely, public and culturally safe consultations, assessments, diagnoses and medications in their communities.

Our health system desperately needs prevention; health promotion and early intervention mental health services that are fully funded and that genuinely address the social determinants of health, including mental health; and a mental health workforce that is reliable, capable, empowered and fairly remunerated. People with lived experience must be able to equally participate in the workforce, including the mental health workforce, where their experiences are so valuable. The Greens look forward to seeing announcements from this Government that would meaningfully acknowledge the lived experiences and lives of people who have experienced mental ill health, and to working with the Government to deliver on its stated commitment to providing dignity and genuine health care to those in need.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (21:12):** I speak in support of the motion. I thank my dear friend and co-convenor of the NSW Parliamentary Friends of Mental Health, the Hon. Emily Suvaal, for once again using her time and space in this Chamber to raise this issue. It is an incredibly powerful thing that she does. Motions can be moved about anything on a Wednesday, and we debate a lot of different things in this Chamber. It is a fabulous part of our democracy. This member repeatedly chooses to use her opportunities to move motions about mental health. She does this to provide a regular platform for us to talk about the issue. It is a deliberate choice that she makes as an advocate for this issue, and one that should be acknowledged by this House.

The theme of Mental Health Month this year is "Let's talk about it". That talk needs to be inclusive. It needs to be a discussion which is conducted in various ways so we can meet people where they are at. What does "it" mean? I think there is a deliberate choice to say "it" and not to use a label like mental health. It is deliberate that the theme is not "Let's talk about mental health". "It" can mean anything to anyone who wants to participate in a conversation about mental wellbeing. This ensures that the conversations we are having are inclusive and that we are destigmatising rather than labelling people. The best way to start such conversations is by ensuring that we

are having open conversations that meet people where they are at, and that we are not labelling them or forcing them to pathologise their experience. It also suggests a conversation that can be initiated by either party.

This is not the type of message that says, "Raise your hand if you need help." While those messages are important, we have moved beyond the idea that, if people just put their hand up and identified that they needed a little bit of support, there would be services wrapped around them. Firstly, we know that is unfortunately not true. Secondly, putting your hand up is actually very difficult. "Let's talk about it" encourages the idea that a person might initiate a conversation by reaching in and saying, "How are you going?" I acknowledge that the theme "Let's talk about it" is incredibly important for our community and for marginalised groups, who find it particularly difficult to talk about mental health. For the Government, however, the theme is inadequate. It is not just about talk for us; it is about action. I agree with many of the things that Dr Amanda Cohn has put forward as a call to action for the Government. I use my time provided by the mover of this motion to both talk about mental health and recommit the Government not just to talk but also to take action. We will have more to say.

**The Hon. JOHN RUDDICK (21:15):** The Libertarian Party has concerns about this motion. I know this will be unpopular, but I believe that we have an important message to say. I raise the possibility that an escalating society-wide focus on mental health is exacerbating mental health issues. When one feels a little down and gloomy, it is most often nature's way of telling us that we need to make an abrupt and positive change in our lifestyle, diet and general outlook. I am concerned that the medical industrial complex has a propensity to prescribe overcoming a little gloom with a subscription service of antidepressant drugs, which seem to be the most addictive of all drugs. It is certainly a booming industry and it underpins so much of the pharmaceutical industrial complex's profits. I note a paper cited in April last year in *The Lancet* titled "Are mental health awareness efforts contributing to the rise in reported mental health problems? A call to test the prevalence inflation hypothesis". I quote at length from the abstract of that paper:

In the past decade, there have been extensive efforts in the Western world to raise public awareness about mental health problems, with the goal of reducing or preventing these symptoms across the population. Despite these efforts, reported rates of mental health problems have increased in these countries over the same period.

...

We term this the *prevalence inflation hypothesis*.

...

...we propose that awareness efforts are leading some individuals to interpret and report milder forms of distress as mental health problems. We propose that this then leads some individuals to experience a genuine increase in symptoms, because labelling distress as a mental health problem can affect an individual's self-concept and behaviour in a way that is ultimately self-fulfilling. For example, interpreting low levels of anxiety as symptomatic of an anxiety disorder might lead to behavioural avoidance, which can further exacerbate anxiety symptoms.

The paper concluded:

Lastly, the prevalence inflation hypothesis states that the relationship between mental health awareness efforts and increasing rates of mental health problems is cyclical and escalating.

Psychologists have long known that the number one symptom of depression is rumination, which is the pathological obsessing over your pain. There is a rich tapestry of life, and part of that complex but beautiful experience is some pain and mental distress along the way. The Hon. Rose Jackson urged us to talk about it more. I think that if we talk about it less there will be less. I urge a return of good old-fashioned stoicism and rugged individualism, and for the Government and the media to stop over-hyping mental health issues.

**The Hon. SUSAN CARTER (21:18):** I am happy to support the motion recognising October as Mental Health Awareness Month, and I thank the honourable member for bringing the motion to the House. The Hon. John Ruddick is right: We talk a lot about mental health in this place, and this is good. We should be doing this every October. Talking about it is part of the education in which we all need to be engaged. But perhaps it is time to recast the narrative a little. When we talk about our physical health, we are usually not talking about disease or illness but about how we can make our healthy selves even healthier, through sensible eating and regular exercise. Sadly, mental health has almost become a cipher for the opposite—for mental ill health. This October let us start to reclaim the concept of mental health and focus on how we can make our mentally healthy selves even healthier. Let us talk about mental fitness as well as mental health. We know that mental ill health is a major community problem. It is important to normalise the experience of mental ill health and recognise how widespread it is, with at least two in five Australians having experienced mental ill health at some point during their lives.

But in normalising it, let us not just accept it. It is time to change the narrative. Mental Health Awareness Month should be about, among other things, fostering resilience, developing a toolkit to foster mental fitness. Mental resilience is the ability to cope with life's challenges and bounce back from adversity. It is a crucial component of mental health, enabling individuals to manage stress, overcome obstacles and maintain a positive outlook. By promoting mental resilience, we can help individuals build the strength and the skills we all need to

navigate the complexities of life. Like our physical health, mental health must be nurtured, and it is incumbent on all of us to nurture the health of our whole community.

Supporting mental health and resilience requires a multifaceted approach. It involves increasing access to mental health services, reducing stigma and promoting education. It also means creating environments that support mental wellbeing, whether in schools, workplaces or communities. By addressing these areas, we can create a society where mental health is prioritised and individuals feel empowered to seek help when needed. We obviously focus a lot on government in this place, but it is not the role of government to legislate for mental health. This is not an "only government" issue; it is an "and government" issue, with everyone in the community and government working together.

**The Hon. Dr SARAH KAINE (21:21):** I speak in support of the motion. I join the Minister for Mental Health in thanking the Hon. Emily Suvaal for her commitment to mental health issues and for bringing the motion to the House. I have some prepared notes, but I will instead respond to a few of the comments members have made and the characterisation of mental health issues in a particular way. I am presuming the Hon. John Ruddick was speaking about depression when he said, "We shouldn't confuse it with being a little down and gloomy. We shouldn't think there is something wrong with that. That is a natural and healthy thing." Yes, being a little down and gloomy is natural—spending a long Wednesday in here does not do much to help that!

I am making light, but the comment forced me to reflect on when a member of my family in my household was "a little down and gloomy"—or so I thought. I treated that person as if they were just a little down and gloomy. Let me tell you, it is quite dangerous to dismiss a serious mental condition or depression as a transient experience. Sometimes it is, because we do have feelings. Feelings are transient and we can live through those. But if we dismiss actual illnesses they will get worse and if we do not treat them, particularly in the mental health area, they can be terminal. I suggest that we be very, very careful about how we talk about mental health. We need to be cognisant of the realities of life and we need to guide our young people—one of whom I was talking about—through its ups and downs.

We need to make them resilient and help them understand that they will get through difficult times. But we cannot dismiss when those feelings are more than that, when they are something that does need to be treated. So I caution us to, as always, be very careful about how we talk about things in this place because that also matters. Yes, we do need to keep a focus on mental health and, yes, we need to model and teach resilience. But mental health is not just about resilience. It is about making sure that people get appropriate treatment, that they are not stigmatised when they do and that we provide support for the people who need it most. I commend the member for moving this motion.

**The Hon. WES FANG (21:24):** I make a brief contribution. I thank the Hon. Emily Suvaal for moving the motion and commend the previous speakers. I will address some of the comments made. Although there are times when I agree with the Hon. John Ruddick, this is not one of them. I think there is nothing wrong with discussing mental health and normalising it. I do not think it encourages more people to feel down; I think it encourages people to seek help if they are struggling. I often joke that all of us in this place are experts in mental health because no-one gets into politics unless there is something a little bit wrong with them. I make light of it, but the reality is that this is a pressure-cooker environment. All members recognise the pressures of this 24/7 job—engaging with different colleagues, the community, the media—and know that it impacts people differently.

People will express that in different ways. The way it is expressed can either help somebody or hinder them. But expressing it is the first step in acknowledging, as the Hon. Dr Sarah Kaine said, that it is a health problem and seeking a way to address it. Ultimately, mental ill health is something that can be hidden very well. It can also be quite apparent. But addressing it is the most important thing, and it does not necessarily always have to be by way of medication. Cognitive behaviour therapy, exposure therapy or simple counselling might be what alleviates someone's pressure. But people cannot address their mental health unless they acknowledge and talk about it. I commend the member for bringing the motion. I commend the Minister for Mental Health for saying that we need to talk more about our mental health, because if we do not talk about it then nothing will change.

**The Hon. CAMERON MURPHY (21:27):** I speak in support of the motion and in response to what the Hon. John Ruddick said about mental health. I need to call him out. Quite often his contributions start in one area, take a quick turn and end somewhere else. I do not know whether that was his intention in relation to this matter, but I found it offensive for him to say words to the effect that if you talked less about it, there would be less of it, because mental health is a serious issue. It is something that we all need to come to grips with as a community, as a Parliament and as a government. Talking about it is the first step to fixing it, so that we are aware of it, we know about it, and we can put the resources and the effort into making people's lives better.

If that is what the report stated—I thought the 4Chan economics was weird—that is really not the sort of thing that we should be relying on. I urge the Hon. John Ruddick to read less of that. Imagine if people took that

attitude towards domestic violence: that somehow it would disappear if we spoke less about it, and that we would not have a problem. We know that is not true. In many ways mental health is the same. It must be taken seriously. It should be out in the open and talked about so it can be dealt with properly.

**The Hon. SCOTT FARLOW (21:29):** I support the motion moved by the Hon. Emily Suvaal and commend her and the Hon. Susan Carter for their work as the co-chairs of the Parliamentary Friends of Mental Health. I had the role of the chair for nearly eight years. I remember moving many similar motions in this House. It was always quite good for my own mental health because it was when everyone said nice things about me and commended me for moving the motion, and that was refreshing. But talking about mental health takes its toll. I have some sympathy with comments made by the Hon. John Ruddick in that respect because sometimes we need other factors as well as resilience. I commend the mover of the motion, particularly for her comments on matters such as schizophrenia. Rob Ramjan is a former head of the Schizophrenia Fellowship, and he always used to talk about how there were acceptable forms and unacceptable forms of mental health issues.

In a sense, we need to shine a light on mental health conditions that are more complex and are not just conditions that people can relate to in their everyday lives—things that are a little bit more frustrating for those who have to deal with it and their families and carers. Talking about significant conditions like schizophrenia during a month like this month, which can at times take on some fairly complex manifestations for those who have the condition and for those who care for them, is perhaps a little different to what some of us might think of when we talk about Mental Health Awareness Month and the conditions that we can relate to our own lives. People find some conditions very challenging and society finds it very challenging in how we balance them. Minister Jackson has great responsibility in dealing with mental health conditions. I know she takes that role very seriously, as all Ministers who preceded her did. Those issues, and how we deal with them, can get quite complex.

It is important to be mindful of that, as well as checking on ourselves and marking R U OK? Day and Mental Health Awareness Month. I commend WayAhead and all of the mental health organisations across New South Wales for all the work they have done. I also commend the Mental Health Commission for marking this month and working to ensure that, while we are mindful of mental ill health, we are mindful also that it is a condition like any other.

**The Hon. EMILY SUVAAL (21:32):** In reply: I thank all honourable members who contributed to this evening's debate. I wanted to thank everyone individually, of course, but owing to limited time, I will focus on a couple of aspects of the debate. The Hon. Aileen MacDonald talked about the effectiveness of the public health campaign around mental health and how we have come to recognise mental health as being as important as is physical health. I would argue it is more important. We cannot do anything without our mental health and that includes looking after our physical health. Being in a state of mental good health is more important than anything else, in my humble opinion.

I acknowledge the advocacy of Dr Amanda Cohn in this space. I thank her for talking about the social determinants of health, which are a really important factor when dealing with mental ill health. I know that Minister Jackson, who also has the Housing portfolio, is working hard. Housing is a really significant contributing factor to people's mental health and wellbeing. I commend the Minister also for the work she is doing in that space. During the debate, Minister Jackson referred to the importance of inclusivity in speaking. It is really important. The Minister referred to the importance of two-way dialogue and reaching in as opposed to waiting for someone to reach out. I look forward eagerly to what more the Minister has to say in this space.

The Hon. John Ruddick—where to begin? When someone, in the context of a debate on mental ill health, refers to any type of mental ill health as feeling a bit gloomy, I can only assume that that person does not understand what it is like to be depressed or to suffer any type of mental illness. Depression is not feeling a little gloomy; it is not ruminating. It is being physically unable to get out of bed. There are physiological symptoms associated with depression, which include chemical imbalances in the brain, reduced neurotransmitters and not having enough serotonin. There are chemical reasons that contribute to people's mental ill health.

The Hon. Susan Carter talked about the importance of resilience. I thank the Hon. Dr Sarah Kaine for sharing her story and for her contribution. I commend the Hon. Scott Farlow for his participation in the debate. Telling your story sometimes means you can be the holder of stories. Somebody warned me about that very early and it is something I have had to be very mindful of when people share their stories with me. I thank the Hon. Scott Farlow also for his contribution in recognising the importance of schizophrenia. 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.**

## MEDICATION SHORTAGES

**Dr AMANDA COHN (21:36):** I move:

- (1) That this House notes that:
  - (a) supply shortages and discontinuations have impacted the availability of over 400 medicines in Australia, including dozens listed as in critical shortage by the Therapeutic Goods Administration; and
  - (b) medicines and medical products impacted include antibiotics used for common infections, pain relief used in palliative care and for cancer pain, diabetic medications that can prevent severe complications, psychiatric medications, hormone treatments used commonly for severe symptoms of menopause, vaccines to prevent shingles, multiple frequently used and critical intravenous fluid products, and many more.
- (2) That this House recognises that widespread medicine shortages, interrupted supply, the use of special access schemes, and the use of alternative unapproved products, along with the ongoing IV fluid shortage, impact:
  - (a) patient quality of life;
  - (b) hospital and health service operation, including safety and quality of care;
  - (c) disproportionately on patients in rural and regional areas;
  - (d) confidence in and relationships with health professionals; and
  - (e) time pressures for health professionals.
- (3) That this House calls on the Government to urgently explore options to:
  - (a) stabilise supply of essential medicines, including but not limited to domestic manufacturing; and
  - (b) ensure equitable availability of medications impacted by supply shortages, including to rural and regional areas.

Supply shortages and discontinuations have compromised the availability of hundreds of critical medicines in Australia, and dozens have been classified as being in critical shortage by the Therapeutic Goods Administration. Medicines affected include antibiotics for common infections; pain relief for palliative care and cancer; diabetic medications that are crucial for preventing severe complications; psychiatric medications; hormone treatments; adrenaline for emergency treatment of severe allergic reactions, cardiac arrest and asthma attacks; vaccines to prevent shingles; critical intravenous fluid products; and many more essential medicines and medical products.

Some of these medicines are facing temporary supply chain issues but, even worse, some medications, like Ordine, have been discontinued by their manufacturers because, despite their incredible benefit to those that need them, they are not profitable. Ordine is used to manage severe pain and difficult or laboured breathing in many care settings, including cancer treatment and end-of-life care. Medicine shortages have been more severe and increasingly tangible in Australia since the pandemic, but health and medical experts are warning us that this problem is only getting worse and that warning signs had been clear for more than a decade. The fundamental problem is that we are entirely reliant on overseas supply chains and private manufacturers for essential medicines. There is no number of special access schemes or alternative unapproved products, or other temporary bandaids, that will address this problem.

The Government must be willing to drive domestic or even public manufacturing. There are presently 394 medicines in shortage with a further 82 anticipated. In May, when 423 medicines were in shortage in Australia, those included treatments used to manage menopause symptoms, such as hot flushes and night sweats. Of the nine brands of hormone therapy patches available, eight were in short supply and the only other one was not available on the Pharmaceutical Benefits Scheme. For patients, this represents additional time, money and effort spent visiting multiple pharmacies, or making return visits to secure critical medicines, or just giving up and not taking prescribed medicine. Doctors and patients have to spend precious time and resources devising workarounds and altered management strategies.

For years the Australian Medical Association [AMA] has been calling for a comprehensive strategy for the supply of medicines—one that puts domestic manufacturing at its centre. This call was repeated in August amid the nationwide shortage of intravenous [IV] fluid. While fundamental to surgery and critical health care, the reliable supply of IV fluid is also critical to the functioning of all hospitals, outer city health services and general practices. The Federal health department has said that while a more resilient medicine supply chain was a government priority, locally manufacturing all the medicines approved for use in Australia was not practical or economic. The AMA has rightly said that we must work to prevent shortages rather than constantly responding to them. People's lives actually depend on this.

At a recent budget estimates hearing NSW Health confirmed a long list of shortages it was currently monitoring and mitigating to ensure equitable access across the State. I am grateful to Dr Kerry Chant and her team for that work, as well as for her comprehensive answers to my questions on notice and supplementary questions. But the approach of monitoring the shortages and equitably distributing dwindling supplies of essential

medicines is not a long-term solution to what is a systemic and worsening problem. I commend the motion to the House.

**The Hon. AILEEN MacDONALD (21:39):** The Opposition supports the motion moved by Dr Amanda Cohn that calls on the Government to act to address a critical shortage of medical supplies. The motion quite rightly calls on the Government to urgently explore options for the stabilising of supply of essential medicines, and to ensure equitable availability of medicine in short supply, including in regional areas. How can it be that hundreds of medications, including dozens listed as "critical" by the Therapeutic Goods Administration, have been hit by supply shortages and discontinuations? Australia is not a Third World country. This is a parlous situation, which the Government was warned about more than a year ago but chose to ignore. The Government needs to answer the question as to why we rely on international supplies when we could and should be developing local medicine manufacturing.

Some of the drugs in scarcity are critical for life-threatening conditions, such as antibiotics for common infections, pain relief used in palliative care and for cancer pain, diabetic medications to prevent complications from diabetes, psychiatric medications, hormone treatments for severe symptoms of menopause, and vaccines to prevent shingles. It should not be that health professionals are being forced to prescribe different brands or products that contain the same active ingredient but may not be the same dose or strength. It should not be that doctors are having to prescribe similar medicines instead of particular medicines for specific conditions. It should not be that doctors are recommending alternative treatment options. Surely the ramifications have an impact on the quality of a patient's life. The scarcity also impacts the safety and quality of care in hospitals and health service operations. It is an escalating problem that is putting patients at risk and GPs on edge.

I understand that there are many national and international causes that impact the local supply of medicines, but we are far too vulnerable to external factors. Australia imports 90 per cent of its medicines from overseas. That puts us at the bottom of the food chain when it comes to supply, because we consume only 2 per cent of the global medicines market. I support the motion because we need to address drug shortages in the short term and in the long term. We need investment in local manufacturing to help protect ourselves from those shortages. We need the New South Wales Government to stand up to the Federal Government and insist on improving the pathways for the supply of critical medications.

**The Hon. EMILY SUVAAL (21:42):** I thank Dr Amanda Cohn for moving the motion. The Government supports the motion. The issue of medication shortages is a global one. New South Wales has taken proactive steps to mitigate the impact of drug shortages, particularly within our public hospital system. The Australian Government also plays a pivotal role, as it has responsibility for managing current and anticipated medication shortages through the Therapeutic Goods Administration [TGA]. Medication shortages stem from a myriad of factors, including manufacturing issues, demand surpassing supply, unexpected spikes in demand and market failures. We have seen that most recently with pre-exposure prophylaxis [PrEP] and intravenous fluids.

What the Federal Government is doing in this space is amending the Therapeutic Goods Act 1989 to empower the TGA to collect data on shortages and take proactive measures to mitigate the impacts. A system of mandatory notifications to the TGA ensures timely awareness of potential shortages, enabling swift action to secure alternative supplies and minimise disruptions to patient care. In New South Wales, NSW Health is actively working to minimise the impacts of medicine shortages and discontinuations, particularly to public hospitals. That includes monitoring of medication shortage notifications and discontinuations to assess the impacts on patient safety.

Where a medication shortage has been identified, a systematic approach is taken, which includes an urgent system-level coordination if there is a high or extreme risk to patient safety. Further, the Clinical Excellence Commission will convene the inter-agency medicine shortage assessment management team, consisting of representatives across NSW Health, to review and conduct risk assessments and determine the appropriate risk mitigation actions. Our contracts with pharmaceutical companies stipulate obligations on suppliers to report shortages promptly. NSW Health ensures that frontline clinicians are kept informed of shortages and available alternatives through regular communication channels, including dedicated webpages and the Safety Alert Broadcast System.

PrEP supply issues are expected to resolve in late October or early November 2024. NSW Health has secured a one-month supply, which will be available at NSW Health sexual health clinics and hospital pharmacies. I am pleased to update the House that intravenous fluid supply concerns are easing after a number of actions taken by the Government to support the management of that issue in its facilities. The Government has worked closely with local and international suppliers to secure supply based on ongoing requirements. I can assure the House that every public hospital has access to the intravenous fluids they require to ensure safe patient care, with clear escalation pathways in place at all NSW Health facilities should any concerns arise.

**Dr AMANDA COHN (21:45):** In reply: I will be brief, given the hour. I thank both the Government and the Opposition for their support of this motion. I also reiterate my thanks to Dr Kerry Chant and her team, who are doing an excellent job under a difficult set of circumstances, responding to and reacting to medication supply shortages. Giving the tripartisan support for further action, I look forward to seeing the action that the Government will take to address supply issues in the future.

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

**Motion agreed to.**

*Adjournment Debate*

## **ADJOURNMENT**

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

That this House do now adjourn.

## **NSW POLICE FORCE AND PROTESTS**

**The Hon. STEPHEN LAWRENCE (21:47):** Tonight I provide a Labor perspective on the right to protest and the good work the NSW Police Force has been doing over the past 12 months in making careful operational decisions that have upheld both the right to protest and the protection of community safety. I am sure members remember the controversial protest that commenced at Town Hall on 9 October 2023 and ended up at the Opera House. That event had originally been authorised under part 4 of the Summary Offences Act to take place in the vicinity of Town Hall. The protest, which drew a large crowd, had then moved to the Opera House under the escort of the NSW Police Force. That was a police operational decision—made quickly, as I understand it—which no doubt balanced the resources of police and their realistic capacity to stop the progression to the Opera House with the overriding need to preserve the safety of the community.

Police make incredibly difficult decisions. I respect the work they do and fully appreciate the need to weigh carefully the need to respect on-the-spot police decisions. Having once been a young lawyer carefully scrutinising and challenging police decisions, I found that the older and more experienced I got, the more I respected police and understood the difficulty of the incredible hard work they do. It is important to stress that, generally speaking, people do not need agreement from police to stage a protest. But authorisation under part 4 of the Summary Offences Act grants an immunity from prosecution for certain obstruction and assembly offences, so long as the protest is held "substantially in accordance with the particulars furnished with respect to it".

A contrast to the police decision-making of last year is in some ways provided by examining the 1978 Mardi Gras procession/protest, an event that took place under an earlier legislative scheme that also provided for the authorisation of protests. In that case, an authorised procession/protest was apparently agreed to proceed down Oxford Street to Hyde Park. It then, however, proceeded down College and William streets. At some point, police intervened and tried to end the event. History now records what occurred: gross violence, unlawful arrests, police brutality and, essentially, a police riot. We should not forget the homophobia that infused the NSW Police Force and society more broadly at that time, but we also should not forget the cautionary tale that 1978 provides about the dangers and often impossibility of police stopping mass protests.

The Government has recently commissioned a review into the police resources that are going into attending the weekly Palestine protests taking place in the Sydney CBD. I welcome that, and I do not prejudge what such a review might or might not find. The Opposition has of late been stridently demanding that the Government legislate to adopt a user-pays model for policing protests. That seems to me a virtual absurdity in a free and democratic society. One very real consideration is how any such law would interact with the implied freedom of political communication first recognised by the High Court in 1992. The implied freedom requires that legislation or some actions must not burden the existing freedom of political communication unless they are "reasonably appropriate and adapted" to serve a legitimate end, the fulfilment of which is compatible with the maintenance of the constitutionally prescribed system of representative and responsible government.

Clearly, a requirement to pay to protest would be a burden and therefore would be a disincentive to protest. Such a burden would stop some people—those unable or unwilling to pay—from protesting. I certainly query whether the very purpose of such a law would be compatible with the maintenance of the constitutionally prescribed system of representative and responsible government. Simply put, our free and democratic society is not one where only the rich should be allowed to protest. In considering the matters, I am also instructed by my own experiences acting for protesters. I recall very distinctly a case involving the Sydney Black Lives Matter protest in 2020, where the Court of Appeal declared a mass protest as "authorised" minutes before it commenced at Town Hall.

The judge who made the lower court decision was confronted with a submission that he should authorise the protest because, without a doubt, it would happen anyway, and authorisation would better ensure safety and make the police's job easier. The judge responded that he was confident that people would not be "so silly", or words to that effect. Tens of thousands of people attended. Thank God we live in a free society. That story speaks to some fundamental realities: The protests that sometimes most need authorisation, and the cooperation with police that flows, are the very ones that authorities might not like. The powers of the State in a free society do not realistically extend to stopping mass protests proceeding in a safe and orderly way. I look forward to engaging as a member of the Government with what comes from the current review, and particularly any law reform proposals.

### MITCHELLS FLAT SOLAR FARM

**The Hon. TANIA MIHAILUK (21:52):** As the New South Wales Government's reckless renewables rollout continues, more and more victims of that careless ideological initiative are emerging. The latest to suffer at the hands of the renewable energy lobby are the residents of Mitchells Flat, an area just outside of Singleton. Locals are rightly outraged that a massive solar farm has been earmarked not on nearby already industrialised land but smack dab in the middle of a pristine residential and agricultural zone. Picture 177,000 solar panels dumped in the middle of the only non-industrialised side of Singleton, across 253 hectares of farmland.

Not only will it besmirk the aesthetic of the area, but locals have informed me that they have concerns about the endangered eastern spotted quoll colonies that populate the area, which would be at risk if the project goes ahead. In addition, locals are concerned about the two waterways that run through the area, the mental health impact the construction of the project could have on the children of the community, and the devaluation of their properties. There is also a serious safety risk when it comes to the durability of the solar panels themselves. As local businessman Dale McNamara said to *The Singleton Argus*:

This area was wiped out a few years ago by a severe hailstorm and that could happen again and then the chemicals in the panels will leech into West Brook and then into the Glendon Brook and the Hunter River.

Another major concern that the local community has is the sheer inappropriateness of the site that has been picked for the project. Rather than position the solar farm on nearby already-industrialised land, the foreign-owned Elgin Energy, which is developing the solar farm, has chosen a pristine residential and agricultural area. Why it has chosen to build the project on agricultural land rather than in the mining buffer zones on the west of Singleton is no mystery. Put simply, it would cost the foreign energy developer a lot more money to lease that industrialised land. As such, it is much easier for the renewable energy cowboys at Elgin to arm-twist vulnerable residents into leasing their land at an absolute pittance.

As I pointed out last month, there are examples of 5x5 lease agreements at just \$40,000 a year for areas in the vicinity of 500 hectares of land. That is an outrageous deal, yet locals feel pressured to sign away their beloved farmland because of the weight of the renewable energy lobby. It is astounding to me that the New South Wales Government is so willing to talk out of both sides of its mouth when it comes to renewable energy projects. On the one hand, the Government touts itself as concerned about the environment and keen to usher in green initiatives. On the other hand, it has facilitated an arena in which projects like the proposed Mitchells Flat Solar Farm, which will have a negative effect on the local environment in terms of endangering local wildlife and potentially leaking toxic chemicals into nearby waterways, can be waved through without query.

The Government has created that arena by conveniently neglecting to introduce any type of legal, contractual, planning or regulatory framework to hold the energy developers to account in terms of how solar panel planning takes place in our State. Developers know that, which is why the foreign-owned Elgin Energy, which is pushing the Mitchells Flat Solar Farm project, has seized upon that particular area in the renewable energy zone, knowing that there is no regulatory framework in place, and is preying on local residents for their land. Those who live in the regions of New South Wales are proverbial sacrificial lambs when it comes to the New South Wales Labor Government's obsession with reaching its ridiculous renewable energy targets. More and more attractive, convenient, non-industrial places to live in New South Wales's beautiful countryside will be sullied by cowboy energy developers, which will continue to take advantage of New South Wales's regulatory environment when it comes to renewable energy projects, to make a quick buck.

As I mentioned earlier, 5x5 contracts are being signed up to at a pittance, at only \$40,000 a year. It is understandable why some farmers and landowners are agreeing to the arrangements. That money can go to their families. They do not understand or appreciate that the developer is there to make a buck. They are waiting to get their developments through. Given that it is a renewable energy zone, developers expect it to be easily fast-tracked. The Minister for the Environment has indicated time and again in this House and at a range of conferences across New South Wales that she will fast-track those projects. They will be fast-tracked, sadly, at the expense of wonderful communities like Mitchells Flat in Singleton. It is important that the community continues to fight and



that this Parliament acknowledges that fight and understands how pristine agricultural and residential land is important to regional New South Wales.

### VOTING PREFERENCES

**The Hon. PETER PRIMROSE (21:57):** Like many members of this place, on 14 September I was handing out how-to-vote cards for candidates at my local council election. Again, like a lot of members of this place, at the end of the polling day, I was ready to scrutineer the count, form filled out and purple vest on. Before the ballot boxes were emptied and the work of scrutineers began, we introduced ourselves and I was met with what I considered a strange question: Who has the Labor Party given its preferences to? I replied, "The voter." Admittedly, I was taken aback by the question. In New South Wales, it has been decades since any party or group has had total control over the distribution of preferences it receives from voters.

As displayed on the wall near the Clerk's office, the 1999 State election had a Legislative Council ballot paper the size of a tablecloth. The skewed election results had a party with only 7,264 first preference votes able to get a candidate elected. The subsequent public concern ensured that secret group ticket preferences were abolished and the days of "preference whispering" in New South Wales ended during the term of Premier Bob Carr. During the term of Premier Nathan Rees, there were further electoral changes to ensure probity, transparency and fairness in elections, including that property developers and industries like gambling, tobacco and liquor could no longer donate to candidates and parties.

These reforms have flowed down to the local government level. The reforms, their implementation and what they mean on the ground in the lead-up to, during and after election day for State and local council elections are overseen by the statutory body empowered by the Parliament to uphold democratic electoral practices in our State: the NSW Electoral Commission. The Electoral Commission has been at the helm of ensuring that our democratic processes are conducted independently, transparently and fairly, and that they are accessible. That includes engaging with voters and communities right across New South Wales to make it easier to understand and participate in elections. We have a statutory body at arm's length from government that provides strong safeguards to ensure we can trust that election results are correct and accurate when they are officially announced.

The checks that are undertaken when votes are counted and tallied are rigorous. The recent local council elections puts the magnitude of the work of the Electoral Commission into focus. Over 100 elections were held across New South Wales, including in metropolitan, regional and remote areas. Results were officially announced within three weeks of election day. The staff and the knowledge and know-how required to deliver the local council elections cannot be understated. Like every other human organisation, there are always things that can be done better, and the Electoral Commission publicly acknowledges when things—very rarely—go awry. An apology is made publicly and personally to affected people and communities; the validity of the results of the election are checked again to ensure their veracity and, if necessary, elections are re-run so there can be no doubt about the outcome; and processes are changed to ensure that a mistake never happens again.

The NSW Electoral Commission's job—to run independent, free and fair elections—has remained the same over the years, but the way in which it does its job has changed. There are programs to engage people with disability, make community language speakers and materials available, fact-check and provide information about the New South Wales electoral processes, and provide multiple ways for people to participate in elections, cast their vote and respond to risks. I am partisan about who I support and would like to win at elections. I would not be here without the Labor Party and believe that Labor is best able to support our communities. At the same time, I strongly support the independence and fairness of the NSW Electoral Commission. It is above reproach, so that when people cast their vote, regardless of their party position or the outcome, we all know that our votes count and that there is trust in the electoral process and trust in the result.

### RURAL AND REGIONAL WOMEN

**The Hon. AILEEN MacDONALD (22:02):** Yesterday we celebrated the United Nations International Day for Rural Women. The event warrants that I pay tribute to the resilience of rural and regional women. There was a time when the thought of rural and regional women conjured up the stereotype of a farmer's wife who would often supplement the family income by nursing or teaching, or some other off-farm income. That may have been the case 30 or so years ago, or at least it was when I moved to regional New South Wales in 1989. Now it is often the case that it is the women who are running the family farm. I refer to women who not only manage the family farm but also are also involved in innovation and technology within the agricultural industry, as well as other essential services in health and almost any other field you care to name.

One only has to watch *Landline* on a Sunday lunchtime to see that rural women continue to be involved in innovation in many industries such as agriculture, mining and resources, STEM and communications. Rural women lead the way in providing business benefits such as profitability, productivity and innovation. All that is

in the face of a cost-of-living crisis not only on a global front, but often more deeply in the regions where the impact is longer lasting. Some women are choosing to ditch the city life and move to rural New South Wales because of the many opportunities that are presented. I refer to Annabelle Hickson, for example. She left her career as a journalist at *The Australian* to move to western New South Wales. While her husband planted pecan trees, she began to learn what it was to be a part of a vibrant local community.

What she found was smart, clever and resilient people who spoke of opportunities instead of limitations, which challenged her city-centric stereotype of country people. Twelve years after moving north-west and after the drought of 2019-20, Annabelle took it upon herself to write stories from regional Australia that were not just about disadvantage. She discovered that lack of water, lack of jobs and lack in general were all real, but they were not the only narrative for regional New South Wales and regional Australia. She identified the need for a publication that portrayed people in regional and rural communities as smart and increasingly diverse—that they were people who cared about their community, creativity and the environment, as well as profitability. She saw the need for a publication that bridged the city and country divide, so she created a quality magazine called *Galah*.

*Galah* is published three times a year and posts regular newsletters that essentially say that regional life has a lot more going for it than droughts, floods and fires. Annabelle is a perfect example of how rural women find solutions in adversity. They see something wrong and fill the gap. Women like Annabelle have helped communities create economic diversity where a country town may have relied on one industry alone, like agriculture. She broadened the scope of her region and added value. That is what is amazing about rural women. They have an ability to change and adapt to circumstances. Rural women find a way to get things done, with or without the help of government, and they do it with a "can do" attitude.

### MINING AND RENEWABLE ENERGY PROJECTS

**The Hon. ROD ROBERTS (22:05):** I talk about coincidences. It is evident to me that coincidences strike us all equally, but some coincidences are more equal than others. Take, for example, mining. It is quite a coincidence that in New South Wales—and, indeed, across the country—mining applications are routinely rejected on the basis of Indigenous heritage or local wildlife reasons, while renewable energy projects get the political red carpet, with heritage, liveability and environment hardly copping a mention. That, of course, is just a coincidence. I refer, for example, to the Regis goldmine in Central West New South Wales, blocked by Labor on Indigenous heritage grounds.

The project was set to deliver hundreds of jobs and \$200 million in mining royalties to the State. The project was approved by the Independent Planning Commission NSW and passed the Federal environmental assessment, but was blocked by Federal Labor MP Tanya Plibersek. Plibersek favoured the Wiradyuri Traditional Owners Central West Aboriginal Corporation. The site, apparently, was a significant initiation site and featured in two important creation stories. Perhaps coincidentally, those creation stories played no role elsewhere in the State when it came to renewables projects. Indeed, the only thing being created was money for the owners and headaches for the locals.

Around the same time that the Regis mine was rejected, a 182,000-panel solar farm was approved for the area of Wallaroo. Within days of that happening, the much-contested Hills of Gold Wind Farm—aptly named for the green investors—won approval for 64 wind turbines. Some were even placed near the site of future housing development. Local residents and business owners, including award-winning winemaker Nick O'Leary—whose wine is available in the Parliament dining room—former Brumbies star Lachlan McCaffrey and former Australian Capital Territory Attorney-General Bill Stefaniak all objected, complaining about a lack of consultation and impacts on traffic, tourism and views. Yet the project went ahead. There was no Indigenous heritage claim, nor any local wildlife affected. Indeed, the only thing that got in the way of the dream green vision was the pesky locals, who tried to use those annoying democratic processes to decide the fate of the area they live in. How annoying! If only there was an Indigenous heritage claim to the area or a rare endangered green tree frog to stop the development going ahead. If only there was a coincidence.

That is a story that plays out time and again. Mines are blocked while solar and wind farms get the green light. The \$880 million Upper Hunter solar farm in Merriwa? Tick. The Bowdens Silver mine project near Mudgee? Axed. There are no conspiracies in the world of Labor and renewables, only coincidences. The coincidences come in many forms. I refer, for example, to the offshore wind project off the coast of Illawarra, which had extensive pushback by locals, including Dr Jodi Edwards, an adviser and leader in the local Dharawal community. Dr Edwards had initially voiced her disapproval of the wind farms, citing "destruction of underwater Aboriginal sites and artefacts, habitat displacement and exposure to electromagnetic fields". She later commented that she was not consulted about the decision to put them there. But then Dr Edwards and the University of Wollongong received a \$300,000 grant for a project called Unbroken Whisper, which would study Indigenous environmental knowledge about the connections between land, sea and sky, and the offshore wind farms went ahead. Quite the coincidence, you might say.

It is unsurprising to hear this, but it is worth mentioning. Renewable energy projects are often the ones supported by the left—for example, The Greens, Labor and the Matt Keans of the world. Mines are often supported by the right—for example, the vast majority of Australians. The reason for that is simple. The key difference between mines and renewable energy projects is that mining makes the country richer, while renewable energy projects only make the rich richer. That is not a conspiracy, nor is it a coincidence; it is simply the way the world works.

In this context, a patronage network is a system of aligned interests spread out across intersecting areas, utilised to bypass accusations of corruption while exchanging favours and money. In other words, it is oligarchic—the crossover between money and politics for the benefit of the few, not the many. It is defined by wealth transfer to friends of the same ideological alignment. Am I suggesting that is what is happening with renewable projects? Not at all; it is just a coincidence.

I thank and acknowledge Jordan Knight, who worked for me for a period. Jordan was a not only a good worker and colleague but also became a very close friend. He has since left my employ, with my blessing under good circumstances. I wish him the best for his future endeavours with the National Conservative Institute of Australia.

### STATE ECONOMY

**The Hon. NATALIE WARD (22:10):** I speak tonight on the economic performance of New South Wales under Labor, because the truth is this State is underperforming and there is no plan for reform, small businesses or families. The economy is grinding to a halt under Labor and families are feeling it. Inflation and interest rates continue to smash working people across New South Wales, and the families with mortgages know the pain they are feeling under Labor. We all know a healthy economy helps to produce a healthy society, yet we see limited focus by this Labor Government to take responsibility for the New South Wales economy.

In some ways that is good politics: Let Albo take the hit, while we keep our heads down. But the reality is that the people of New South Wales deserve better. They deserve a government focused on every family budget, because the major economic policy I can see from this Government is a two-tier system based on union membership. If anyone has a union card in their wallet, this Government cares; if they do not, the Government just is not interested. Look at the New South Wales unemployment rate. Under Labor, unemployment is up 22 per cent in 18 months, rising from 3.3 per cent to 4.1 per cent. It promised jobs but delivered job losses.

Where is the growth agenda? What are the industries of the future? What are the future jobs? Things like Future Made in Australia are not economic reform; they are union reform. We are seeing tightening industrial relation laws, pay rises to the unions without any productivity savings, and backroom deals without any benefit to the public. That takes me to housing and the fact that housing supply is not meeting the required demand. That is because of many things, but ultimately it is because immigration is out of control, this Government will not criticise the Albanese Government and the Premier will not pick up the phone.

Rent in Sydney has exploded—a staggering 11.1 per cent rise in just over a year—while building approvals have crashed, hitting a historic low of only 3,027 in June 2024. But, yet again, the Government does not take the action needed. It is a 16 per cent decline since Labor took office. Then today I read that the Transport Oriented Development Program—the signature policy—will only deliver 16,000 extra new homes over the next five years under Labor. That is, the Government has put their hands and feet up. That takes me to my final reflection. As we mark the eightieth anniversary of the Liberal Party, we see complete ignorance of the pain suffered by small business and family businesses under this State Government. It used to be bipartisan that small business was the lifeblood of the Australian economy, yet now it appears they are the forgotten people in this economy. I reflected on some statistics from the Australian Chamber of Commerce that said that 45 per cent of small business owners have considered closing or leaving in the past 12 months.

Two vehicles provide the keys to the great ladder within Australian society—small business and education. Small business success does not discriminate by sex, race, gender or postcode. In New South Wales, they employ 1.8 million people. They take the risk. There is no union for them, and therefore there is no focus on them by this Government. They start work before everyone else. They are the last to leave. They work in the business and on the business, from your local fruit shop to your hairdresser to small private legal practices. People are taking a risk every day who have no safety net and no entitlements.

This month is Small Business Month, and the pain that they have suffered and continue to suffer needs to be acknowledged. They have decided to put a stake in New South Wales and their stake needs to matter to this Government. They are taking the risk. They are employing people. They are creating something, and they are giving it everything they have got. Labor needs to do better on this. It needs to govern for the heartbeat of the New South Wales economy—for people, families, the self-employed and small business. They have no safety net.

They have no entitlements. They are there only by their own volition. They commit to hard yakka, self-sufficiency and individual effort. That is why I am proud to be part of a Liberal philosophy that supports individual and private sector initiative. We need to support these people and their businesses, and ensure that they have a safety net under this Government. We will be bipartisan on that, but we need to hear more from this Government to speak loudly for everyone in New South Wales.

**The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 22:15 until Thursday 17 October 2024 at 10:00.**