

## LEGISLATIVE COUNCIL

**Wednesday 23 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 (10:02):** I remind members of today's members' development series with the ICAC Chief Commissioner. Members and staff can join the session in the theatrette, or virtually via Teams, from 1.00 p.m. This session will focus on the work of the ICAC and how it intersects with the work of the Parliament and its members. It will cover topics including the obligations of those in public office, what is corrupt conduct in New South Wales and corruption risks experienced by members of Parliament. The Chief Commissioner will also update participants on any developments in the anti-corruption space since he last presented to members and staff in October 2023.

### *Motions*

#### **LUCY'S PROJECT**

**Ms ABIGAIL BOYD (10:03):** I seek leave to amend private members' business item No. 1483 by omitting paragraph (4).

**Leave granted.**

**Ms ABIGAIL BOYD:** Accordingly, I move:

- (1) That this House notes that:
  - (a) Lucy's Project, a charity that aims to improve the safety of people and animals experiencing domestic and family violence, held their 2024 online conference from 16 to 17 October 2024, and attendees gathered to discuss the impact of domestic and family violence on both people and animals, and the action needed to protect animals and people from domestic and family violence; and
  - (b) the conference heard from leading experts from across the world about animals as victim-survivors of domestic and family violence in their own right, the connection between animal abuse and domestic and family violence, the benefits of animal-inclusive frontline services for human and animal victim-survivors, and the role of governments, law enforcement and animal services in enhancing the safety and wellbeing of animals and people experiencing domestic and family violence.
- (2) That this House affirms that animals are victims of domestic and family violence in their own right, and deserve to be protected from all forms of violence and considered in domestic and family violence policy responses.
- (3) That this House commends the work of Lucy's Project in driving critical work to protect animals and people from domestic and family violence and ensure the safety, healing and recovery of all animal and human victim-survivors.

**Motion agreed to.**

#### **ANNUAL AUSTRALIA-INDIA ADDRESS AND GALA DINNER**

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

- (1) That the New South Wales Parliament recognises the Annual Australia-India Address and Gala Dinner convened by the Chinese Australia India Business Council, held on Thursday 17 October 2024 at the Four Seasons Hotel in Sydney.
- (2) That this House notes that the event was strongly attended by business leaders and organisations promoting the robust and prosperous bond that Australia and India share.
- (3) That this House acknowledges the following members of Parliament who attended:
  - (a) Dr Andrew Charlton, MP, Federal member for Parramatta, representing the Prime Minister of Australia, the Hon. Anthony Albanese, MP;
  - (b) the Hon. Daniel Mookhey, MLC, Treasurer of New South Wales, representing the New South Wales Premier, the Hon. Chris Minns, MP;

- (c) Mr Matt Cross, MP, member for Davidson; and
- (d) the Hon. Rachel Merton, MLC.

**Motion agreed to.**

### **TWEED COAST YOUTH SERVICE**

**The Hon. AILEEN MacDONALD (10:04):** I move:

- (1) That this House recognises the Tweed Coast Youth Service.
- (2) That this House notes that:
  - (a) the Tweed Coast Youth Service is a community-based and volunteer-led youth service which was founded in 2012;
  - (b) since its inception the service has expanded to provide wellbeing programs, mental health support and outreach programs for the local youth; and
  - (c) over the years, the service has received funding and support from various sources, including local and State governments, community organisations and private donors.
- (3) That this House acknowledges that the Tweed Coast Youth Service has become a vital resource for young people in the community and provides a range of services.
- (4) That this House commends the Tweed Coast Youth Service, which has now become a leading youth service provider in the northern New South Wales region, led by a board that works tirelessly to support the needs of young people in the community.
- (5) That this House further acknowledges that without funding the service would not be able to provide necessary services in the region.
- (6) That this House recognises that the Tweed Coast Youth Service is looking to secure grants and funding to support the delivery of programs and activities and to secure a permanent venue for the delivery of these programs and activities.

**Motion agreed to.**

### **MINISTERIAL DIARY DISCLOSURES**

**The Hon. SCOTT FARLOW (10:16):** I move:

- (1) That this House notes that the publication of ministerial diary disclosures has been required since its implementation by Premier Mike Baird in 2015.
- (2) That this House notes that the Premier's memorandum *M2015-05-Publication of Ministerial Diaries and Release of Overseas Travel Information* requires the disclosure of "the purpose of the meeting".
- (3) That this House notes that the term "meet and greet" is vague, does not identify the matters which were discussed in the meeting and indicates the parties meeting do not have a longstanding relationship.
- (4) That this House notes that a meeting between the Premier and the Australian Turf Club on 30 October 2023, which was later revealed to be to discuss the redevelopment of Rosehill racecourse, was disclosed as a "meet and greet" despite the Premier meeting with Mr Steve McMahon, who stated that he has been "friends with Chris Minns and his family for around 25 years".
- (5) That this House is concerned about the proliferation of the term "meet and greet" in the Premier's diary disclosures, with the usage of "meet and greet" 152 times from 27 March 2023 to 30 June 2024.
- (6) That this House condemns the Premier for misleading the public by describing a meeting with a friend of 25 years as a "meet and greet" and for the excessive use of the term "meet and greet" in his diary disclosures.
- (7) That this House calls on the Premier to update the Premier's memorandum for the publication of ministerial diaries to require more clarity as to the specific purpose of applicable meetings and the topics discussed.

The Premier's memorandum on ministerial diary disclosures is an important accountability measure so members of the public and members of this House know which stakeholders Ministers are meeting with. Such disclosures have been required by Ministers since the policy's implementation under the Baird Government. The purpose of the disclosures is to foster public trust in the activities of the Government by providing clear and accurate records of meetings held by Ministers, including, of course, the Premier. The practice is meant to hold our leaders accountable and ensure that the public knows what issues are being discussed and with whom.

When Mike Baird introduced the publication of ministerial diaries in 2015, a key tenet was that the public should know why individuals and organisations were meeting with Ministers. When introducing those changes, Premier Mike Baird said, "The public has a right to know who is meeting and what they're meeting their Government about." That is obviously not the approach of this Government. Since Premier Minns came to office, the Premier's diary disclosures to June 2024 have referred to meet and greets a staggering 152 times. Forget about Hulkamaniacs; we have a meet-and-greet maniac in the Premier. The overuse of "meet and greet" as a catch-all description not only does not outline what was discussed, or the purpose of the meeting, but also undermines the very purpose of diary disclosures. The disclosures of ministerial meetings should offer the transparency that they promise. However, as used by the Premier so far, they have described 152 meet and greets.

The definition of a "meet-and-greet" event in the Cambridge Dictionary is "one that has been arranged so that a famous person can meet and talk to people". The Premier is, no doubt, famous—maybe a little bit of King Charles's majesty has rubbed off on him. The definition of a "meet-and-greet" in the Collins Dictionary is "a session where a celebrity et cetera is introduced to or questioned by members of the public or journalists". It is pretty hard for the Premier to have a meet and greet with someone he has known for 25 years—since he was on Hurstville council. That is the most notable meeting that has been described as a meet and greet. His meeting with the Australian Turf Club [ATC] on 30 October was described simply as a meet and greet. One would have thought that it was an introductory meeting. Rather, it was used to discuss a significant proposal by the ATC to totally redevelop Rosehill racecourse.

It must be noted that the Premier was not meeting Mr McMahon for the first time. Mr McMahon stated that he has "been friends with Chris Minns and his family for around 25 years". The two served as Labor councillors on Hurstville council in the 2000s. They are well known to each other. That is not a problem—I know Steve McMahon as well; he is a wonderful bloke—but the meeting should not be described as a meet and greet. It must be disclosed in a more accurate manner to reflect what was discussed and the context in which it occurred. Funnily enough, the Premier has listed 152 meet and greets. Similarly, a meeting was also held with former Premier Mike Baird, the person who came up with the disclosure requirement, on 30 October 2023. That meeting was not described as a meet and greet; it was properly described as a meeting to discuss aged care and cricket. It is not a standard that the Premier uses for every meeting. Sometimes he describes a meeting quite clearly, even with the originator of the disclosure regime.

I question whether a meeting held with Mayor John Faker of Burwood Council can be described as a "meet and greet". Mayor Faker has known the Premier for quite a while. The same goes for David Borger. Even a meeting with his predecessor, Jodi McKay, was described as a meet and greet. I would have thought that the two of them may have met each other when he was serving in her shadow Cabinet—they may have even crossed paths when he rolled her! I do not quibble with the legitimacy of any of the meetings; I quibble with the disclosure. I quibble with the standards that are being undertaken by the Premier in disclosing 152 meet and greets with a variety of people. I am sure that some of them could adequately be described as a meet and greet, but the meeting with the Australian Turf Club on 30 October, which we know was secured to talk about the redevelopment of Rosehill racecourse—that was confirmed by the Premier's chief of staff—was surely not a meet and greet. While it was a legitimate meeting, it should have been properly disclosed. If the Premier's memorandum does not require that publication, it should be updated. That is what the House is calling for today.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:21):** The Government does not support the motion. The Government does support full accountability in the disclosures that its Ministers and Premier make. They are following the memorandum that was put in place by the previous Government, the conventions that were set and the way in which disclosures occurred. I welcome the new-found interest from the Opposition on this matter given that none of those issues were ever raised when members opposite were in government. I would like the Hon. Scott Farlow to tell us how he raised it in his party room if he was so concerned about the way in which meetings were disclosed.

As an example of the way that the previous Government disclosed things, the current Leader of the Opposition, Mr Mark Speakman, had just 24 meetings in the second half of 2021—that is not very many. Eight of those were listed as general discussion, which is interesting. Former Minister James Griffin disclosed 78 meetings—that is a few more, which is good. The Government welcomes that. He listed some as "portfolio matters". Former Premier Dominic Perrottet listed "various matters" as the purpose of six of his 19 meetings. David Elliott used "meet and greet" quite a lot. As a factional colleague, I would have hoped that the Hon. Scott Farlow would have spoken to former Minister Elliott about that if he had concerns. The point is that the Government is following the conventions and meeting the disclosure requirements. Our Ministers are disclosing far more than the previous Government's Ministers did.

I also make the point that in opposition, our Leader of the Opposition disclosed his diaries, which the current Leader of the Opposition does not do. That is despite the Leader of the Opposition in the Legislative Council, the Hon. Damien Tudehope, calling for shadow Ministers to declare their diaries when he was in government. I note that he has not raised the fact that his own leader is failing to disclose any of his. That is some context. This Government takes disclosure extremely seriously. The other point that I make is around the use of "meet and greet". I speak from experience as a brand-new Minister, which is not something that the Hon. Scott Farlow is able to do. Maybe we can look forward to that in the future. He may find that when one becomes a Minister in a new government, the requests for meetings are high.

Since I became a Minister I have had over 4,000 requests for meetings; I think I have undertaken over a thousand of those. Particularly in the beginning of a new government, the opportunity to meet and greet is why

people want to come and see a Minister. They want to meet the Minister on behalf of the organisation they represent and understand their priorities. Meet and greet is not unusual, particularly for an incoming government. Opposition members have a newfound interest in a whole range of transparency measures they had zero problem with less than two years ago. They basically built the conventions we are following. We do not support the motion. [Time expired.]

**The Hon. MARK LATHAM (10:24):** I support the motion and note how quickly the gamekeepers become poachers. A move to the government benches has changed the rhetoric of the Labor Party completely. It is a pathetic defence to say, "The previous Government was bad, so go easy on us because we're just as bad." That is not the standard that Chris Minns defined prior to the last election, when he wrote in *The Sydney Morning Herald* that there would be a new era of higher ethical standards. He stated that integrity was not just a noun but a verb, an ongoing daily exercise to maintain the highest standards of government. Obviously that should start with the basic, honest proposition that the meeting with Steve McMahon on 30 October was a meeting with an official of the Australian Turf Club [ATC] for the sale of Rosehill.

It is an absurd proposition for the Premier to say he was having a "meet and greet" with a person he has known for 25 years. He served with Mr McMahon in Carl Scully's office under then chief of staff Chris Bowen in the previous Labor Government. They served together on Hurstville council and worked on each other's election campaigns. We all know that in politics "meet and greet" is a descriptor reserved for a first meeting with a diplomatic ambassador or the head of a peak interest group. It is a ridiculous proposition to say that meeting with someone you have known for 25 years and regard as a close personal friend is a meet and greet.

In fact, the importance of that meeting cannot be understated. It was critical to the sale of an asset, supposedly valued at \$5 million, in Sydney's largest ever real estate transaction. One would think that, if the Premier sees integrity as a verb as well as a noun, in using it he would be honest enough to say that the 30 October meeting was with an official of the ATC for the sale of Rosehill Gardens racecourse. That is not just an integrity requirement from the internal documents of government; in certain instances, it is also an integrity requirement of the ICAC. At page 15 of the ICAC guidelines on direct dealing—and the meeting in question was the beginning of a direct dealing for the sale of Rosehill—it states:

As a general rule, corrupt or unethical officials try to avoid making records that could be used to expose their conduct.

The ICAC has a requirement of full and honest disclosure in direct dealing negotiations. Again, the Premier should have declared the truth of the situation. He was not meeting Steve McMahon for the first, second or third time. They have probably met 500 times to share opinions, engage in political activity, collaborate, scheme or whatever they get up to. It was not a meet a greet but a meeting to sell Rosehill racecourse. One only had to listen to the squirming evidence and, quite frankly, the dishonesty of the Premier's chief of staff at the Rosehill committee hearing on Monday to know that the meeting in question was the beginning of a sham, a fraud and a disgraceful Government process that needs to be interrogated much further.

**Ms ABIGAIL BOYD (10:27):** On behalf of The Greens, I also support this motion. The issue of ministerial disclosures is not limited to the Premier. During the last budget estimates hearings session I went through the disclosures of every Minister since they came into government. I heard what the Leader of the Government said in her contribution. To be fair, Minister Sharpe does have far better and more detailed disclosures than most of her colleagues. But as much as I may personally like Minister Houssos, for example, her disclosure is pages and pages where the purpose of meetings is listed as "Portfolio matter". That is not uncommon among Ministers. It is rare for any actual meaningful disclosure to be put in those disclosure summaries.

Sure, there might be meeting and greeting the first time. But when the purpose of the meeting is listed as "meet and greet" for somebody the Minister has met four or five times since coming to government, that is surely not okay. I share the criticisms that the Hon. Mark Latham just raised. It is quite telling that the Government's response to the motion is to say, "When the Coalition were in government, they were the same, if not worse." That is not a defence. The Government could have stood up to say, "You're right. We haven't done a very good job here. We could do better. Let's commit to reviewing that and making some actual changes." The Premier's memorandum on it is not very good. It is a bit rubbish. The Hon. Mark Latham is stealing all my talking points.

**The Hon. Penny Sharpe:** That doesn't happen very often!

**Ms ABIGAIL BOYD:** It does not happen very often, but on matters of accountability we often agree. ICAC has been banging on about the matter for a long time. Operation Eclipse is an example from June 2021, in which ICAC made the following finding:

The published summaries of ministerial diary disclosures are not sufficiently detailed or meaningful for the public to understand who is meeting whom and why.

Why should Ministers make disclosures? They should make disclosures so that the public can understand who is meeting whom and why. That standard is not being met. The Government would have argued that the Coalition should have done that when it was in government. It needs to apply that same standard to itself now. The Greens are disappointed with the Government and support the motion. I wish that the Government would say, "It is not good enough. We will commit to do better. If we do not want more Ministers being called back to budget estimates hearings, we will look at the proactive disclosures they make." I spent a good amount of my time during those hearings trying to get to the bottom of exactly who was meeting whom. That is a waste of my time that could be avoided if the Government were to simply disclose it in the first place.

**The Hon. NATALIE WARD (10:31):** I support the motion and thank the Hon. Scott Farlow for moving it. I would have thought that Government members would have said with open arms, "We support this and we agree with you."

**The Hon. Penny Sharpe:** This is shameless from you, Natalie.

**The Hon. NATALIE WARD:** "It is an opportunity for us, because we were elected on the basis of our explicit commitment to transparency, to accountability and to doing better." I would have thought that Government members would take it seriously.

**The Hon. Penny Sharpe:** Are you going to be disclosing your diary?

**The Hon. NATALIE WARD:** The interjections, attacks and the personal naming are clear examples of the defensiveness of the Government. The best form of defence is attack. That is what we are seeing. Members opposite have the platform of a new government and a new approach. Premier Chris Minns said, "Transparency and integrity is the very least New South Wales deserves from their government." He vowed to restore integrity to government. In fact, the Labor Party campaign slogan was "A fresh start for New South Wales". Yet its response to a very serious and clear motion of the House is, "We'll attack and talk about the former Government. We don't take this seriously. We're going to obfuscate. We're not going to embrace this." In coming to government, members opposite said that they believe they can literally get away with anything. Those were their words.

For somebody a Minister has known for 24 or 25 years, a meet and greet descriptor is not adequate. If they met, for example, just once a year for 25 years, that would be 25 meetings before the meet and greet. I would have thought that, by the time they get to the meet and greet, they have already met and greeted each other 25 times at a minimum, and probably many more times. It makes a mockery of a serious matter. Not only that, members opposite came to government on the basis of their explicit commitment to integrity, accountability and transparency. They are doing the opposite. I would have thought that it would be a government that says, "We will absolutely take the motion on board." As Ms Abigail Boyd said, members opposite should make some amendments to the way clarity is provided, rather than be dismissive and arrogant about the manner in which the disclosures are made.

I support the Hon. Scott Farlow in moving for the House to call on the Premier to update and improve on the Premier's memorandum, which was brought in by the Liberals to make sure there was accountability. Members opposite should do better and say, "We'll update it to require more clarity as to the specific purpose of applicable meetings." Furthermore, the disclosure was made after the meeting. By that time, the Minister would have known what the meeting was about. Even if the Minister went into a meeting with someone they had known for 25 years who urgently needed to meet on two days notice thinking it was a meet and greet, surely they knew afterwards that it was about something significant. They should be accountable by disclosing it openly and transparently after the meeting, as promised before the election. I commend the motion to the House.

**The Hon. WES FANG (10:34):** I support the motion, and I had the opportunity to question the Premier's chief of staff about the meeting. When I did so, I wanted to go through it systematically and forensically, so I first asked the chief of staff if he was aware that the Premier was friends with Mr McMahon when the meeting request came through on 26 October. James Cullen, the chief of staff, indicated that, yes, he was aware. I asked him if he was aware the meeting was about a discussion on the redevelopment of Rosehill, and he indicated that, yes, he was aware that the meeting would be a conversation about the redevelopment of Rosehill. The pre-conditions are there that Mr Cullen was aware that the Premier and Mr McMahon were friends with each other. He was aware that this was going to be a discussion about a proposal to redevelop Rosehill.

The meeting then took place four days later, and good luck to anybody outside of the Premier's friends getting a meeting within four days. But Mr McMahon did, and the meeting went ahead. I then asked Mr Cullen whether he felt that "meet and greet" was an appropriate way to disclose that meeting, and he indicated that he had no problem with that. In fact, he repeated that answer a number of times. It leads me to question the integrity of this Government because not only was he aware by the time that meeting had finished that the meeting was certainly not a meet and greet but was instead about a discussion of a potential \$5 billion redevelopment; he also

knew that had occurred and it was disclosed ultimately in the disclosure that I think had to be disclosed by 1 February. So by that stage, the proposal was already on the table.

None of that passes the pub test, and that is ultimately what we need to look at. Does this pass the pub test? When those disclosures were made approximately three or four months after the meeting occurred, it was well known that there was a proposal to redevelop Rosehill and it was known that Mr McMahon and the Premier were friends; yet the chief of staff still indicated that it was a meet and greet. Of all the actual meetings that should be disclosed, when a possible \$5 billion redevelopment is being raised with the Government, that is one that should require a meeting disclosure. The Premier has failed the pub test here and the Premier is the one— *[Time expired.]*

**The Hon. DAMIEN TUDEHOPE (10:37):** I support the motion of the Hon. Scott Farlow to clarify the obligations for Ministers to disclose the purpose of meetings. Listening to the Leader of the Government was interesting. Her analysis was that early on in government, lots of organisations come to government and want to meet them for the first time, especially a first-time Minister—"Absolutely, we want to get to know you." In those circumstances, an explanation along those lines may well be appropriate in respect of a number of meetings which occur after new ministerial appointments.

This one is completely different because on the Friday before the actual meeting occurred, Mr McMahon rang the Premier's chief of staff, having met with the secretary of the planning department the day before, and wanted an urgent meeting with the Premier, which was arranged for the following Monday, and disclosed to the chief of staff that the purpose of the meeting was to discuss a proposal relating to Rosehill racecourse. The chief of staff gave that evidence to the hearing. At that point, the chief of staff knows the purpose of the meeting. He knows what Mr McMahon is coming to talk to him about. It is not about the Australian Turf Club generally or how the racing industry is going; it is a specific proposal. On two days notice, there is an urgent meeting with the Premier, who makes specific directions about how the matter is to be dealt with.

While I accept the Leader of the Government's analysis that lots of meetings can properly be described as meet and greet, this one does not fall into that category. It never fell into that category, and it was distinctly misleading to put it into the category of meet and greet when they knew before the meeting what its purpose was. They allowed that to go forward when they had signed off the declaration and the announcement had already been made about this proposal. The Government is soliciting unsolicited proposals, it is looking for driverless trains and its Ministers do not know what their departments are doing, even when there are serious accidents. This Government is avoiding scrutiny by not making itself open to that process. *[Time expired.]*

**The Hon. JACQUI MUNRO (10:40):** I support the motion of the Hon. Scott Farlow and provide some more context about the patterns of behaviour that this Government and its Ministers engage in. What we are talking about goes to the heart of integrity in government. The Premier suggested that that would be a priority of his. It goes to the motivations of people when they meet with Ministers, which, in community groups, might be wholesome. But when there is a financial incentive for a person to influence a Minister, it is critical that taxpayers understand the types of influence that Ministers are being exposed to. That is what this motion is about. Fundamentally, good government is about being accountable and transparent, and making decisions in the best interests of the taxpayers of New South Wales, not individuals who often stand to make significant gains, individually or financially through an organisation or company, from Ministers' decisions.

During budget estimates this year I had the privilege of sitting on the committee with the Minister for Planning and Public Spaces. We had a fascinating back and forth exchange. I was surprised at the level of denialism—it is not just a river in Egypt. I raised a concern that the planning Minister's diary disclosed he had met with Mr Morris Iemma, former Premier, and that Mr Iemma was a lobbyist in that meeting. He was taken to see a site in Western Sydney with a particular building company that was a client of Mr Iemma, and that was disclosed as such.

Then four days later there was another meeting with Mr Iemma, yet this time he was not disclosed as a lobbyist. Apparently general matters were discussed in this private meeting between the Minister for Planning and Public Spaces, who has enormous power over the kinds of benefits a developer can have, and a lobbyist whose clients include a multitude of developers. Those clients have incredibly significant property interests, particularly in Western Sydney, around Bradfield and that huge redevelopment area, and yet, according to the Minister for Planning and Public Spaces, Mr Iemma could be a lobbyist on one day but not on the other. The Minister did not find it necessary to suggest that Mr Iemma's influence would pertain to decisions about areas in which he clearly had a financial interest for his clients, and which, again, were not disclosed appropriately. Diary disclosures are fundamental in understanding the way this Government operates. *[Time expired.]*

**The Hon. SCOTT FARLOW (10:43):** In reply: I thank all members who contributed to debate: the Hon. Penny Sharpe, the Hon. Mark Latham, Ms Abigail Boyd, the Hon. Wes Fang, the Hon. Natalie Ward, the Hon. Damien Tudehope and the Hon. Jacqui Munro. The point that the Hon. Jacqui Munro made at the end of her

contribution is very pertinent, because the characterisation of meetings is important. Premier Minns has had meetings with former Premier Morris Iemma that were described as "catch-ups", which is perfectly fine. Given their longstanding relationship, that is an appropriate characterisation of their meetings. But a meeting like the one the Premier held with Steve McMahon on 30 October, which was characterised in his diary disclosures as a "meet and greet", leads me to question whether other meetings have been mischaracterised. What is discussed in those catch-ups? What is discussed in other meet and greets? I note that it is quite legitimate that meet and greets occur.

I thank the Leader of the Government for going through the history of a range of ministerial diaries when the Coalition was in government, no doubt with the help of her staff and researchers. I am sure she was up all night doing it. I must say that I have not researched them as extensively as she did. I have not taken the opportunity to read David Elliott's meet and greets, some of which may be adequately characterised as such. Some of the Premier's might be as well. To the Hon. Mark Latham's point about foreign dignitaries, I note a meeting the Premier had with a Japanese Minister. I am sure that characterising that as a meet and greet was appropriate. However, when I went through former Premier Perrottet's disclosures, I could only find one meet and greet, which was with the Bega Group 16 Rugby League Club. I suspect the former Premier did not have a longstanding relationship of 25 years with that club. If he had, it might have helped us win the Bega by-election, but I do not think that was the case.

Other meetings disclosed by the former Premier included with Luke Mangan and Company, which was described as "Industry update and impact of COVID-19". I know Luke Mangan, as did the former Premier, and given my interaction with Mr Mangan, I am pretty sure that is what that meeting would have been about. The former Premier also disclosed a meeting with Robert Vellar, who he would have known, which was described as "Real estate sector reform opportunities". Those are examples of how a government should provide information to give transparency about meetings. However, the Premier has decided not to do that, as the Hon. Wes Fang said. He signs off on these meetings and he knew what the meeting with Steve McMahon was about. If he did not know beforehand, he certainly knew after the Rosehill announcement. He should have been up-front and transparent with the people of New South Wales. *[Time expired.]*

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

**The House divided.**

Ayes .....23  
Noes .....15  
Majority.....8

#### AYES

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

#### NOES

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

**Motion agreed to.**

#### *Bills*

### ALCOHOL CONSUMPTION IN PUBLIC PLACES (LIBERALISATION) BILL 2024

#### Second Reading Speech

**Debate resumed from 5 June 2024.**

**The Hon. JOHN RUDDICK (10:54):** I would like to say a few more words about the Alcohol Consumption in Public Places (Liberalisation) Bill, which is about liberalising alcohol consumption laws in this State, by quoting none other than the New South Wales Labor Premier Chris Minns. On 13 August 2024 the venerable *Daily Telegraph* reported:

The Premier doubled down on his support for a relaxing of regulations on Tuesday, saying he believed the current rules around—alcohol consumption in public—

where people can drink were too restrictive and that he was open to potential changes.

I thank the Premier for that. The article went on:

"If you go to any international city around the world and Sydney is certainly one of those, they have a night time environment that include maybe a hotelier, a pub or even a club allowing people to have a drink on the footpath or sidewalk or wherever you are, but in Sydney that's virtually impossible," he said.

Mr President, can we have silence in the Chamber?

**The PRESIDENT:** Order! The member will be heard in silence. If members would like to continue conversing, they should do so outside the Chamber.

**The Hon. JOHN RUDDICK:** The Premier was further reported to have said:

The rules are strangling any kind of night life and fun in Sydney and we need to try and get the balance right.

I remind members that these words were from the Premier of New South Wales. The articles continues:

"But increasingly it's my sense in Sydney that after a few complaints have been made, the easiest thing for local council to do is to slap a ban on it ... but what ends up happening is regular people who play by the rules get punished by it and it robs the city of some vibrancy."

Mr Minns he will wait for the outcome of the inquiry before announcing specific reforms.

So we have had the inquiry. The inquiry was favourable. The articles goes on to say:

On Monday the Premier said he believed there were too many rules and regulations preventing people from having fun in Sydney.

And that is true. Minister Graham knows that; he is doing good things. The Government should support the bill. The article further quotes the Premier as saying:

"A general discussion about the amount of restrictions that are in place for people that want to open a bar or serve food or create some kind of excitement and energy that people see in other international cities around the world would be really valuable," he said.

"I'm generally on the side of believing there's just too many rules and regulations particularly when it comes to hospitality or having fun in Sydney."

That is all great stuff. I hope the Government will change its mind on supporting the bill. The article went on to say:

Minns said that Sydney's night-life is "largely dead" on weekend evenings, lacking the vibrancy seen in European cities.

The Premier also said, "We want to make sure that we have commonsense rules in place. Most people I speak to after they have worked a busy week in Sydney say that there is nothing to do on a Thursday, Friday and Saturday." The articles continues:

Health Minister Ryan Park said while health professionals would always be concerned about the effects of excessive alcohol drinking, "we've got to live as human beings".

"We've got to have a vibrant city, we've got to have an opportunity to socialise," ...

"You've got to get the balance right and that is what the government is determined to do."

...

Business Sydney executive director Paul Nicolaou said sensible rules on public alcohol consumption would "breathe life into the night time economy".

Well said, Mr Nicolaou. He is further quoted as saying:

"The Premier is right that there are just too many rules and regulations that stifle Sydney's buzz as a global city ...

"European cities take a more liberal attitude to alcohol and there is no reason we can't take a similar approach here."

I am running out of time, but I will share a little anecdote with the Chamber. Before I joined Australia's finest political party, the Libertarian Party, I was an active member of the Liberal Party for a few decades. One of my very closest friends was the former Premier, Dom Perrottet. We were particularly close. We helped kick off the democratic reform movement. After he announced his retirement, he came to my office on level 11. As a dear friend, he sat me down and said, "John, do you know what happens in government here? The crossbench often



come up with very good, innovative ideas. But what the government of the day will always do"—and he admitted that his party did it in government—"is always say to the crossbench with the good innovative idea, 'We were going to do that or something like it anyway, so we are not going to support that because we already have it in train,' and they just make it up." He said that the government of the day knows that there is a lot of intellect and creativity on the crossbench.

Premier Minns has said that he is generally in favour of these reforms. The health Minister has said that he is generally in favour of these reforms. Paul Nicolaou has said that he is generally in favour of these reforms. I look forward to an active debate on the bill after private members' statements today. I believe that if members support the bill, it will have a real, material impact on the lives of millions of people in New South Wales for decades to come. It will probably be the best bill that the Parliament passes in this term of government. I commend the bill to the House.

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

*Visitors*

### VISITORS

**The PRESIDENT:** I acknowledge the presence in my gallery of Jean-Paul Yegenian. Jean-Paul is a student at the University of Technology Sydney who is interning in the office of the Hon. Cameron Murphy. He is very welcome indeed.

*Questions Without Notice*

### BROKEN HILL POWER SUPPLY

**The Hon. DAMIEN TUDEHOPE (11:00):** My question is directed to the Leader of the Government.

**The Hon. Penny Sharpe:** No birthday leave today?

**The Hon. DAMIEN TUDEHOPE:** No, there is no birthday leave today. The Commonwealth Disaster Assist webpage for the natural disaster with Australian Government reference number 1149, "Far West region storm: 17 October 2024 onwards", advises those affected by that natural disaster:

For information on available recovery assistance, visit the NSW Reconstruction Authority and Service NSW websites.

Why is there no information available on those New South Wales Government websites about available recovery assistance in the Far West?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:01):** That is a very good question. There should be information there, and if there is not, I will find out why not. That is the short version of my answer. The longer version is that incredible efforts have been made to keep the communities of Broken Hill, Wilcannia, White Cliffs, Menindee and others—there are also some much smaller towns—up to date on what is going on with the power outages in that region. They are serious outages. Working carefully, as the communities have done, requires good information about what is happening and when. They also need information about how they can get support. As I said, I will find out what is going on in relation to that.

The broader issue is that the natural disaster declaration has been made. Some support is coming through the councils. The Government is actively working with the Federal Government on other options to address that very serious event. Information is being provided to the community in a range of ways. Essential Energy is the provider for the region, and it is in direct contact with all of its customers. Transgrid is also working there. Across government, there have been community meetings in places like Tibooburra, Menindee, White Cliffs and Wilcannia as people stay up to date.

I take this opportunity to update the House. There has been some load shedding today as a result of cloudy conditions. Solar works well, as members know. We will have a longer conversation about long-duration storage. Some customers have been taken offline temporarily as power is moved around the network and the network is stabilised. Four large generators have been put in place to back up the generator that failed yesterday. That generator is now working again. More large generators will be fitted in the next 24 hours.

This is a very serious matter. I do not know what has happened in terms of the information being made available. We have done an extraordinary amount of work. I give a particular shout-out to the RFS, which has put Starlink connections on trucks to take them to those communities so that people also have mobile coverage. There is an issue with pointing to a website for further information if people do not have internet access. The Government has been working very hard to resolve that. I will come back to the member when I can to provide an explanation for why the information is not available on those websites.

### GOVERNMENT AGENCY MERCHANT FEES

**The Hon. MARK BUTTIGIEG (11:03):** My question without notice is addressed to the Minister for Finance. Will the Minister update the House on the unlawful charging of merchant fees by the New South Wales Government?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:04):** I thank the honourable member for that important question. Recently—in fact, just an hour ago—the Minister for Customer Service and Digital Government and I informed the community that some government agencies have been unlawfully charging the public merchant fees. We do not have all the details, but we believe that it is important to provide the public with transparency. Initial advice suggests that the public has been charged about \$144 million, without the legal authority to do so, over eight years.

An initial investigation found that on three separate occasions during the term of the previous Government it was advised, through Crown Solicitor's advice, that this was unlawful. That advice was provided in February 2016, October 2016 and December 2020. It was first uncovered by our Government by the newly appointed Auditor-General in collating information for annual reports. The Secretary of the Department of Customer Service then began investigating and it was confirmed by legal advice late last month.

It is worthwhile noting that the legal basis is a longstanding common law legal principle that government agencies cannot charge merchant fees unless there is a statutory authority to do so. That was the basis of the Crown Solicitor's advice to Service NSW. Since then, the immediate focus of our Government has been on establishing the scale of the problem and ceasing the unlawful activity. Initial advice has suggested that 80 per cent of New South Wales Government transactions occur through the Department of Customer Service and that has been the main focus of the Government's response: establishing an incident response scheme and today launching a registration process whereby the community can register their concerns. Treasury has directed all government agencies—the remaining 20 per cent, we estimate—to provide a final report by the end of November. I want to be clear that, where it has been confirmed to be illegal, agencies are in the process of shutting it off.

The Treasurer, Minister Dib and I have also written to the Ombudsman to request an investigation. The community rightly expects governments to act lawfully. While the immediate focus has been on ending the unlawful collection of these merchant fees, we must get to the bottom of what has happened. It is appropriate, given the scale, severity and seriousness of the matter, that the independent integrity agency responsible for investigating maladministration should, in the first instance, investigate that. But we have also brought the matter to the attention of the ICAC. We expect to provide more information to the public. I assure the community that we take this seriously and we will get to the bottom of what has happened.

### BROKEN HILL POWER SUPPLY

**The Hon. SARAH MITCHELL (11:07):** My question is directed to the Leader of the Government. The Silly Goat cafe in Broken Hill has a sign posted—

**The Hon. Courtney Houssos:** It's a great cafe.

**The Hon. SARAH MITCHELL:** It is a great cafe. There is universal agreement that it is a great cafe. The cafe has a sign on its door stating, "All our stock is ruined. Even if power comes back on, we will not have the stock to provide service." What financial supports are currently available for small businesses and families impacted by the natural disaster in the Far West region?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:07):** I know the Silly Goat cafe very well. Anyone who has been to Broken Hill would have been there several times. It is highly recommended. It is terrible that the cafe is in this circumstance. As I said before, the current declaration from the Federal Government provides support to council to work through this disaster. We are in ongoing discussions with the Federal Government about what else we can do to support that community. So many businesses are impacted. Pharmacies have had to throw out medicine and businesses have lost stock. Those that have generators are sharing access to air conditioning. It is very hot in Broken Hill; it was 36 degrees yesterday. The community is pulling together and working closely. I do not have the answer that the member is seeking today, but I reassure the Far West community that we are working through it and will make announcements in due course.

**The Hon. SARAH MITCHELL (11:08):** I ask a supplementary question. Will the Minister elucidate the part of her answer about the ongoing discussions with the Federal Government around what else can be done to support the community? Understanding the impact that this is having, what is the deadline for those decisions?

When will the Minister be able to provide more certainty to businesses and the community in Broken Hill in particular?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:09):** As soon as possible.

### ROAD TOLL CONTRACTS

**Ms CATE FAEHRMANN (11:09):** My question is directed to the Minister for Roads. Professor Allan Fels was commissioned by the Government to conduct a landmark review into the State's tolling system. He has said that parts of that review were obstructed by senior bureaucrats in the Government, and specifically by three deputy secretaries. Professor Fels said that he was told that he would be sued for billions of dollars and face possible criminal sanctions if the information that he wished to publish, including about the original financial modelling, was released. What is the Minister doing to ensure that key details of these contracts, including the original financial modelling, are released?

**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) (11:10):** I thank the member for her question. It is a good question. It is important that the public has confidence that the tough job of providing toll relief, which I have told the House is well on track, and toll reform is ongoing. I thank David Cousins and Professor Allan Fels, who have been a huge help in sorting through this issue. I am aware that there were some issues when they sought to get information in order to complete their report. I have worked closely with the agencies to ensure that they have access to the information that they need. For example, it was important that they had access to the base case financial models for their analysis as it is important to understand what the expectations of the Government were at the time when these toll deals were settled.

As far as I am aware, any of those issues that were put to me were sorted through. They had full access to that information in order to write their report. What has ended up in the Independent Toll Review report was up to the reviewers on the advice of agencies. The agencies have a role to play in giving legal advice, but what ultimately ends up in the report is up to the reviewers. It is not a matter for the Government. It is important that the public has access to key information about these contracts. That is fair. These deals are often done behind closed doors between the Government, which is looking to finance these roles, and private companies which, in the end, benefit from the revenue streams that flow. When we were in opposition before the election, it was our view that key details of these contracts should be public. We have committed to doing that, and we will do that.

**The Hon. Natalie Ward:** When?

**The Hon. Daniel Mookhey:** You signed these contracts when you were in office.

**The Hon. JOHN GRAHAM:** We will release your contracts.

**The Hon. Natalie Ward:** You were going to table them, so where are they? It's been 18 months.

**The Hon. Daniel Mookhey:** I've released more of your contracts than you did.

**The PRESIDENT:** Order! As much as I am enjoying the conversation between the Hon. Daniel Mookhey and the Hon. Natalie Ward, we will listen to the Hon. John Graham.

**The Hon. JOHN GRAHAM:** I was enjoying it as well, Mr President, but I support your ruling. I thank the Treasurer for the work that he has done to release some contracts from other areas. We will fulfil our election commitment. I will answer the Hon. Natalie Ward's interjection, although I know that is not always encouraged. It is an important public question. When will we fulfil our election commitment? Before the election, as is the case with all of our commitments. The public has a right to know, and we will make those key details public.

**Ms CATE FAEHRMANN (11:13):** I ask a supplementary question. The Minister said that Labor made a pre-election commitment to release key parts of the contract. Last year, the Minister told *The Australian Financial Review* that the contracts would be released by the end of 2024. What are the blockers within the Government? It seems that the public service is acting contrary to Labor's pre-election promise.

**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) (11:13):** That is a fair question. Firstly, this is an election commitment, and we will deliver on that election commitment. We have said that we will release key details of the contracts.

**The Hon. Natalie Ward:** When?

**The Hon. JOHN GRAHAM:** Again, the shadow Minister interjects. I say to her again that the election commitment will be delivered before the election. Some serious legal issues need to be sorted through.

**The Hon. Daniel Mookhey:** Created by those opposite.

**The Hon. JOHN GRAHAM:** That is exactly right. Those legal issues were created by the privatised toll contracts that were signed by the former Government, including compensation issues, which we will carefully sort through. We have delivered toll relief, which was quite complex. We are sorting through complex toll reform negotiation on a deadline, and we will deliver on this other issue as well. It would not be fair to say that this will not happen or that it is being blocked. We absolutely will deliver on our commitment. We are sorting through it carefully, and it is fair to say that there are significant legal issues in making sure that the Government does it in an appropriate way. We will sort through those. If the Government needs assistance from the Parliament in order to deliver on its commitments, Government members will talk to the Parliament about that. This is an election commitment. The public needs to know what was signed by those opposite in these highly secret privatisation contracts, and we will let the public know.

**The Hon. NATALIE WARD (11:15):** I ask a second supplementary question. I thank the Minister for his answer. The Minister indicated to the House that the election commitment will be fulfilled "before the election". I ask him to elaborate on which election he refers to.

**The Hon. Emily Suvaal:** We will get our forms in on time.

**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) (11:15):** I acknowledge that outstanding interjection. I assure the shadow Minister that I am referring to the 2027 general State election. I simply say to the Opposition and to the shadow Minister that they are in the Parliament under parliamentary privilege and they know what is in those deals. If they want to disclose those details, they can go right ahead. The Government will do so in an appropriate and careful way. If those opposite want to reveal the deals signed by the former Government, they should feel free to do so. They could do so today in the Parliament, if that is the path that they want to go down. They know what is involved. They know about the compensation. They know about the bad deals that were done. They know about the \$195 billion under those contracts that we are still on the hook for. They should go right ahead and not let fear hold them back. If they want to put those views on the record, they are entitled to do so. They should do whatever they want to do in dealing with this.

The Government, however, will deal with it in a considered manner and in a way that recognises the legal advice that it has. We will ask for help if required, and I indicate that seriously. The bottom line is that the public deserves to know about the deals that are in the contracts because the public is paying. The roads are incredible, but we are paying a high price. The public needs to know the background, including what is in the contracts. We will sort through that carefully. It is one of the toughest reform problems that the Government could deal with. We have smoothly delivered relief that is helping people in a cost-of-living crisis. We are on the way with reform. We have set a tough deadline after the concessionaires said they could meet it, and we will release the key details of these contracts. *[Time expired.]*

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

## MOTORCYCLE SAFETY

**The Hon. ANTHONY D'ADAM (11:18):** My question without notice is addressed to the Minister for Roads. Will the Minister update the House on motorcycle safety initiatives?

**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 his question and for his interest in this area. Members may be aware that October is Motorcycle Awareness Month, which is an initiative of the Motorcycle Council of NSW. We are concerned about the number of motorcyclists who are currently being injured or killed on our roads. The proportion of motorcycles involved in road crashes hit a 10-year high in 2024. The current figure is 54 of the 273 deaths on our roads this year have involved motorcycle riders or their passengers. As members know, we have introduced a range of road safety measures, including closing a loophole for foreign driver licence holders; working with new data provisions with the NRMA and the Commonwealth; the demerit points relief trial for safe drivers; and seatbelt detection cameras. I thank members for their assistance in passing legislation to allow the Government to proceed with an average speed camera trial.

To ram the point home, motorcycles make up just 3.8 per cent of registered vehicles in New South Wales, but they have contributed to nearly 20 per cent of deaths this year, to 8 October. Over the decade from 2014 to 2023, a total of 590 fatalities involved motorcycle riders or their passengers. Young people are over-represented in those statistics, and the skew is heavily towards young males. A total of 142 riders aged between 20 and 29 died

in motorcycle crashes, of whom 138 were males and four were females. I thank transport crews, the police and emergency services for what they are doing on the ground, but we need to get the word out about these incidents. We particularly need to get the word out this month, Motorcycle Awareness Month, to let motorcyclists and car drivers know about the issue and that the proportion of motorcycles involved in road crashes has hit a decade high. We are concerned. Whatever members can do to spread the word, it would be appreciated.

### KOALA PROTECTION

**Ms SUE HIGGINSON (11:21):** My question is directed to the Minister for the Environment, representing the Minister for Planning and Public Spaces. Chapter 4 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 identifies that the planning secretary is making guidelines in relation to development control of koala habitats and koala plans of management. When will these guidelines be completed? And when will councils be able to register or update their koala plans of management, noting it has been many years?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:21):** I thank the honourable member for her question. She is right; it has been many years. That is because most members of the previous Government spent their time fighting the koala wars over all of those issues. I still remember that fateful day when some of those opposites stood under a tree with the former Nationals leader and then Deputy Premier, Mr John Barilaro, threatening to stand down from the ministry and to move to the crossbench. They did not realise that they would not get to keep their cars, their pay or their jobs. Gladys Berejiklian quickly and quietly stared them down and put a stop to the ridiculousness. It was one of her better moments. None of that helped koalas, though. Obviously, the issue here is getting in place the right policies to make sure that we protect this iconic animal. I am not going to go through the action that we are taking on that, except to say that the Government is doing work to fix up the NSW Koala Strategy, which deals with a range of those matters.

Obviously, that is ongoing work and there are lots of different strings that need to be pulled together in relation to it. There are no current plans to prepare those guidelines. However, working through the issues that remain outstanding is important. Councils are, of course, able to prepare and update their existing koala plans of management without the guidelines being in place. There is nothing that stops them from doing that. I speak and work with many councils and councillors across the State who are doing fantastic work on koala habitat protection. That is the advice that I have. There are issues that need to be resolved regarding the various levers that the Government has in terms of land management, as we look to protect koalas in New South Wales and ensure that they do not become extinct but, instead, are able to recover from the great challenges they are under.

**Ms SUE HIGGINSON (11:23):** I ask a supplementary question. Will the Minister elucidate that part of her answer that disclosed that there is no plan to make those guidelines? Will that mean that we take that note out of the current State environmental planning policy? Because it is currently there.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:24):** There are many laws sitting on the books that the previous Government passed that it never did anything about. We are working through that. But this question is actually for the planning Minister. I am keen to give the honourable member any information she needs. We will take it on notice and provide it to her in due course.

### MINISTER FOR NATURAL RESOURCES

**The Hon. WES FANG (11:24):** My question is directed to the Minister for Natural Resources. What discussions has the Minister had with Eric Zeng, Bruce Byrne and Ashley Byrne about the current challenges they are facing?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:24):** I thank the honourable member for the question. I refer him to my public disclosures. But I would certainly say that this is the first time that he has raised the matter with me, and I would be happy to discuss it further.

**The Hon. WES FANG (11:25):** I ask a supplementary question. Will the Minister indicate what financial support or other support she is offering as Minister to those people in relation to their current challenges?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:25):** I refer the member to my previous answer.

### HEALTH INSURANCE LEVIES

**The Hon. EMILY SUVAAL (11:25):** My question without notice is addressed to the Treasurer. Will the Treasurer respond to community concerns about private health insurance companies that are not paying the proper rate for rooms in hospitals?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:26):** I thank the member for her question. I acknowledge her previous service as a healthcare worker. The private health funds are persisting with their fear campaign in retaliation for the Parliament acting to stop their rort of the public health budget. So far, the only people that they have managed to dupe into supporting them are members opposite. I cannot help but note that this morning those opposite were peddling the exact same lines that private health operators have been peddling for years to avoid having to pay their bills to the New South Wales public health funds.

I thought I would take the opportunity to provide some further context about who else is having issues with the same funds on almost exactly the same issues. I cannot help but note that people do not need to take our word for it or the word of New South Wales public health; they can take the word of Catholic Health, which has had the same issue with those funds. Earlier this year St Vincent's Hospital found itself in a position where it had to say to NIB, "Unless you pay your bills to St Vincent's, we can't treat NIB customers." NIB reached an agreement with Catholic Health, a not-for-profit private health chain. But what is remarkable is that even the for-profit health chains like Healthscope, a private equity run firm—so, dare I say, not too dissimilar to the big four funds themselves—is right now also waging a massive campaign to have those funds pay the bills.

What all those private health funds have in common is that they have been increasing premiums year after year and dropping the return of benefits year after year. So, no matter whether or not a fund member is using a fund at a public hospital or a private hospital, the members are getting less, the profits are going up, the executive bonuses are at sky-high levels and we are being stuck with the bill. It is not the job of NSW Health to subsidise the profits of the big four health insurers. Every dollar that goes towards those big four funds as a subsidy is a dollar denied to the New South Wales health system and the healthcare workers who provide those services. This Parliament is acting, and so my message to those private health funds is simple: Do not waste your money on a political fear campaign. Pay your bills. The sooner they pay their bills, the sooner the Government is in a position to provide services to their members and to the public at large.

### BIRIWAL BULGA NATIONAL PARK

**The Hon. EMMA HURST (11:29):** My question is directed to the Minister for the Environment. I have been advised that in 2023 the Minister was provided with information about a residential property in Biriwal Bulga National Park where it is alleged that the owner has undertaken illegal land clearing and is running a dog breeding operation in the middle of a national park. What action has the Minister taken since being made aware of those disturbing allegations?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:29):** I thank the Hon. Emma Hurst for the question. That issue was raised with me, but I will need to take on notice what action has been taken as a result. I am very happy to provide that information. Clearly, it is a serious allegation.

### BROKEN HILL POWER SUPPLY

**The Hon. SCOTT BARRETT (11:30):** My question is directed to the Minister for Energy. Noting that one of the two backup generators in Broken Hill has been offline since November 2023, what steps, if any, did the Minister take to address that energy security issue in the 11 months before disaster struck on 17 October?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:30):** I am so pleased that the Hon. Scott Barrett is back in this House, but he should beware of leaders of the Government handing him pieces of paper. Is the member serious? Let us be clear here. Transgrid used to be a public entity. It was sold by his former Government with the support of The Nationals in 2015. So rather than the Government being able to control it, operate it, ensure that maintenance is undertaken and work through all of that, the Government must now deal with a private entity that has shareholders who are seeking to make profits. That privatised entity is causing some real issues.

I am pleased to be able to respond because it gives me a really good opportunity to say that the Government takes those issues extremely seriously. The Independent Pricing and Regulatory Tribunal [IPART] has commenced a preliminary investigation into whether Transgrid has breached its licences. That is what happens when governments privatise, throw something into the national market and just leave it there—people prioritise profit over actually doing the work that needs to be undertaken.

I am so pleased the Hon. Scott Barrett asked me the question because I can tell him what Government members have done. We promised that we will not do any further privatisation in this State. As a government that is involved with the licence holder and requires them to follow the rules, our expectation is that they adequately do the maintenance that they need to do. As I said, IPART will get to the bottom of that, and I will look at what remedies I can enact. In the meantime, over the past week I have been working really closely with both the community and the local member, Roy Butler, who has been the eyes and ears on the ground and has been working productively.

**The Hon. Sarah Mitchell:** The Labor member for Barwon. You couldn't even update the website—nothing on the website, no money for businesses.

**The Hon. PENNY SHARPE:** Keep whingeing, but this is on the Coalition. You guys are unbelievable.

**The Hon. Sarah Mitchell:** It is on you; you are the Government. People have been without power for hours and hours.

**The PRESIDENT:** Order! There are too many interjections.

**The Hon. PENNY SHARPE:** Yes, and if the former Government had not sold Transgrid, I would have been able to direct Transgrid in relation to maintenance. Opposition members are unbelievable. But the blame game is not helping anyone in Broken Hill who currently does not have power. The Government is moving staff from all over the State through both Transgrid and Essential Energy. I give a shout-out to Essential Energy.

**The Hon. Sarah Mitchell:** How can they be directing them to do all of that, if they have no say over them?

**The Hon. PENNY SHARPE:** The Deputy Leader of the Opposition is either interested in what has been happening or is just going to whinge. Is she just hoping that it stays bad so she can continue to whinge? It looks like the Deputy Leader of the Opposition wants to do that. But everyone is throwing everything—

**The Hon. Sarah Mitchell:** Don't be disgusting.

**The Hon. PENNY SHARPE:** What is disgusting is the Deputy Leader of the Opposition trying to politicise a community. [*Time expired.*]

**The PRESIDENT:** I understand that this is an emotive issue, but there is too much audible conversation in the Chamber. Let us drop the temperature a little. I call the Hon. Scott Barrett.

**The Hon. SCOTT BARRETT (11:33):** I ask a supplementary question. When did the Minister first become aware that the second generator at Broken Hill had not been functional since November 2023, and what did she do to hold Transgrid to account?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:34):** I will need to take on notice exactly when I became aware of that. Of course, the energy system is my problem, and I take it very seriously. But every single thing that we are trying to do has been made harder because of the privatisation rip-off by the former Government, which sold out the people of New South Wales by privatising an essential asset. All of the issues we are dealing with are made harder because private profits have been put over the needs of people. That is what we are dealing with. We are cleaning up the mess the former Government left us. I am happy to take on notice when I became aware; I think it was quite recent.

I am not looking at every single generator in every single town across the State. We are making sure the system is operating. Redundancy should be built in for extreme weather events, as we are seeing now. That has not happened, and that is not as a result of the Government; that is a result of the privatisation of Transgrid. But we are going to get to the bottom of the problem. As I have said, I have significant powers and significant remedies can be made as the Independent Pricing and Regulatory Tribunal works through this issue, and we intend to do that. But, again, this is a tough time for people in the Far West.

**The Hon. Natalie Ward:** Where's the disaster relief? Where's the compassion for these people? It's not your problem.

**The Hon. PENNY SHARPE:** It is absolutely everyone's responsibility and everyone is working extremely hard. The member does herself a disservice by not understanding the number of electricity workers who are pulling out all the stops.

**The PRESIDENT:** The Hon. Natalie Ward will cease interjecting. I am getting very grumpy with her.

**The Hon. PENNY SHARPE:** RFS volunteers are delivering Starlink connections to people across that part of the State. Our first responders including our police, workers at the mines and small business owners who are opening up their shops are all working collectively. Yes, questions must be answered, but we need to get the energy grid back online and support those communities, and that is what we will do. [*Time expired.*]

[*Business interrupted.*]

*Visitors*

### VISITORS

**The PRESIDENT:** Before I call the Hon. Greg Donnelly, I welcome to the public gallery Indonesian community leaders who are visiting the New South Wales Parliament as part of the Australia-Indonesia Muslim Exchange Program, supported by the Department of Foreign Affairs and Trade. You are all very welcome indeed.

*Questions Without Notice*

### LONG DURATION ENERGY STORAGE

[*Business resumed.*]

**The Hon. GREG DONNELLY (11:36):** My question without notice is addressed to the Minister for Energy. Will the Minister update the House on how the New South Wales Government is supporting investment in long duration storage?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:36):** I thank the member for his question. Long duration storage is exactly what we need, and Broken Hill is a very good example of that. As members of this House know, the Government is committed to delivering the energy transition for the people of New South Wales. Over the next 10 years, three of the four remaining coal-fired power stations in New South Wales are expected to retire, and we are working hard to replace them with a mix of wind and solar generation. But as many people like to point out—and I do not hide from this fact—the wind does not always blow and the sun does not always shine. That is why we need storage, particularly long duration storage, whether that be batteries, pumped hydro or new innovations like air compression or flow batteries.

We must be able to save the energy generated when the sun is shining and the wind is blowing to use later, when it is not. That is critical to avoiding price spikes and maintaining a reliable system for the people of New South Wales. The Government already has a target for long duration storage in 2030 of 16 gigawatt hours, but that target will not be enough for the State's future needs. I am pleased to update the House that the Government intends to establish a new long duration storage target for 2034 of an additional 12 gigawatt hours. The Government is planning ahead and providing a clear signal to investors that New South Wales is committed to supporting more long duration storage over the longer term. Those projects can be complex and have long lead times, so it is important that we provide them with certainty. That is exactly what setting this additional target will do. We need not look at further evidence on the importance of storage; that work has been done, and such a system could work in Broken Hill.

Broken Hill has enough rooftop solar to power the town in the day. What is missing is the ability to store that energy at night. Those targets, which the New South Wales Government supports, will provide that storage. In fact, there is a planned long duration storage project in Broken Hill, which the Government supports, that could completely change the outcome for the town in situations like these. It will make Broken Hill more resilient in the future. New South Wales needs those projects. By setting a new long duration storage target, we are supporting investment in this system going forward.

I will talk about the Broken Hill air compression project. If this works, this could be a game changer to long duration storage. It compresses air into a mine shaft and then releases it slowly to move the turbines that go around it. It has absolutely no emissions. If we can make it work, it is much cheaper and easier than pumped hydro. It also could be done in many other places and provide opportunities for post-mine use. There are real opportunities—incredible work—and I look forward to seeing it once we are able to. The point that I make is that long duration storage is essential. We need to build in long lead times and that is what we are doing.

### ROSEHILL RACECOURSE

**The Hon. MARK LATHAM (11:39):** My question is directed to the Leader of the Government, representing the Premier. I draw the leader's attention to page 16 of the ICAC guidelines on direct dealing, which require a due diligence process by the Government before commencing negotiations. Why did this not occur before 30 October last year when the Premier committed the Cabinet Office to assisting Steve McMahon with the sale of Rosehill, especially given the evidence before the Rosehill select committee on Monday that Mr McMahon



never had any information from government officials that 40,000 dwellings at Rosehill-Camellia would justify a metro station and there was never any written valuation of the site for \$5 billion, which the Australian Turf Club [ATC] chairman Peter McGauran announced with the Premier on 6 December at Rosehill Gardens? Why did the Premier and his officials not conduct this basic due diligence as required by ICAC and establish there was never any basis for the ATC selling Rosehill?

**The Hon. Bob Nanva:** Point of order: Under Standing Order 65 (3), questions should not refer to proceedings of a committee that have not been reported. I ask that the question be ruled out of order on that basis.

**The Hon. Mark Latham:** To the point of order: You hear some funny things, but it was broadcast on Monday that that was the evidence and a transcript has been circulated. It is totally in order to ask a question about matters that were broadcast to a vast audience for the Legislative Council committee process and hold the Government to account.

**The Hon. Bob Nanva:** To the point of order: I do not think the substantive issues being considered by a committee that have not yet been reported to the House can be contained in questions. I believe there is a ruling by President Burgmann to that effect.

**The Hon. Chris Rath:** To the point of order: I know this has come up before, but I think it is an absurdity to suggest any issue that is currently being considered by a committee cannot be the subject of a question. Some of the committees we have in this place are quite broad, handling a range of different issues across a range of different portfolio areas. If members of the Opposition and crossbench are not able to ask questions of the Government about any of those issues that are currently before committees, you would be ruling out a huge number of current issues that need to be discussed and debated in this House to hold the Government to account.

**The Hon. Daniel Mookhey:** To the point of order: I understand the point that the Hon. Chris Rath is making. But there is a distinction to be drawn between subject matter and points of evidence on which the committee has not yet come to a conclusion. A line needs to be drawn and, to the extent to which a question asks a Minister to assume a point of evidence that has not been resolved, which is what this one clearly does, it probably transgresses that line. There have been previous rulings to say subject matters that are canvassed in committees can be subject to you, but the precise question that has been asked is a question that the committee is being asked to take a point of view on in terms of the evidence that has been presented. I think that is the point of Mr Nanva's point of order.

**The Hon. Emily Suvaal:** To the point of order: Perhaps as you are considering your deliberations, a separate point of order would be around the degree of argument that was contained in the question. I cannot recall specifics, given how long ago it was, but the question did contain parts of argument within it.

**The PRESIDENT:** I will liaise with the Clerks. That is an interesting point. I appreciate all of the contributions made by members. Dr Meredith Burgmann's ruling made on 28 June 2001 was in the context of a ruling to a chair of a committee, rather than to a Minister. That is the first point. The second point she made, which has substantive relevance to the question at hand, is that a question that relates to the activities of a committee may be put to a chair of a committee but that a question must not attempt to interfere with the committee's work or anticipate its report. My view is that the Hon. Mark Latham is correct in stating that the evidence was public and clear. The question is not anticipating the committee's report. It does not interfere with the committee's work. Therefore, it is not inappropriate that this question be asked.

As to the argument issue, I do not see there being substantial extra argument in this question, in a way that does not exist in a range of other questions asked in this place. I understand that the argument issue is important—I keep an eye out for it—but questions must be asked and the Government held to account. The question will be answered on this occasion.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:46):** I will make a couple of points about this. The first is that this proposal is not being dealt with via the direct dealings arrangements; it is being dealt with via the unsolicited proposal framework, which takes into account and follows all of the ICAC's guidelines. The Government has been clear in relation to this. I know that the Hon. Mark Latham has a different view. The committee will continue its work and draw conclusions that are then reported to the House, and the Government will respond to them. The other point I make, which has been well canvassed by quite a few people talking about this, is that there is a proposal, which is not yet finalised, from the proponents, about the Australian Turf Club and whether the Rosehill racecourse will be able to be transformed into a place where we can build 25,000 houses. Discussion of the proposal is ongoing within the club, as people are aware.

The Government has followed the appropriate process, which is the unsolicited proposal framework. That proposal continues to go through that framework in an open and transparent manner while these issues are being

explored. The Government's firm view is that we have followed all the appropriate guidelines, including those of the ICAC, to the letter when it comes to this. It is being dealt with through a process that was designed by, I think, the previous Government. It has been adapted over time, on the basis of advice from the ICAC, and we follow all of those rules. If the member, who has done this a few times now, has serious allegations around whether there is a problem with the ICAC, he should refer them to the ICAC.

**The PRESIDENT:** Before I call the Hon. Natalie Ward, I will make one final point about my previous ruling. I shall give a little more information to members, in case this issue comes up again. I note that in 2012 President Harwin ruled that, where a matter is in the public domain, the fact that the House has established a committee to inquire into it does not necessarily act to constrain the House's discussion of the matter.

#### **TRANSPORT FOR NSW WORKPLACE SAFETY**

**The Hon. NATALIE WARD (11:49):** My question is directed to the Minister for Roads. The extensive list of serious incidents on road construction sites that the Minister provided to the House includes the death of a contract worker struck by a reversing mobile plant in Narrabri on 12 December 2023. When was the Minister first advised of that fatal 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) (11:49):** I thank the member for her question. It is true that after the questions yesterday, I took the responsibility seriously and updated the House in considerable detail about the serious issues that have taken place on a range of Transport for NSW sites dating back to December 2022. The list was supplied to the House by Transport for NSW and reveals a range of serious incidents, often by contractors, across the State. For me, the list is a reminder of just how dangerous construction work can often be. I encourage members to look at the list, take pause and think about what the Parliament can do to improve safety across New South Wales. Safety is important to Transport for NSW and it is often a topic of the discussions I frequently have with its officials.

It is also a reason to have an active union movement, which makes sure that the standards on work sites are as high as they can be. It is also a reason to have a strong SafeWork system in New South Wales, and I know that is also a concern for Ministers who deal with it as a part of their portfolios. There are a range of incidents on the list, some of which are very serious. I am happy to take on notice the specific dates on which I was notified about each of them. The information came to me from Transport for NSW. I have not sought to define a timeline but some go back to the time when the member was the Minister, so the same question might well be asked of her.

**The Hon. NATALIE WARD (11:51):** I ask a supplementary question. I note that the Minister indicated to the House that safety is important to Transport for NSW and that he has frequent discussions with its officials. What is the Minister's current expectation for how soon the secretary, Josh Murray, should brief him on any serious work health and safety incident that occurs on a Transport for NSW construction site? Is it the next day, within a week or only when there are media inquiries into that 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) (11:52):** I do not think the member is taking a helpful approach. These are really serious issues. The idea that they are trivialised or politicised is—

**The Hon. Natalie Ward:** Point of order: I ask the Minister to withdraw his statement. There is no trivialisation. Questions about this issue are serious and they have been asked in the appropriate forum of question time. His statement is a personal reflection on me. I ask him to withdraw it and provide the information requested.

**The PRESIDENT:** What is the specific term the member took offence to?

**The Hon. Natalie Ward:** That I am trivialising and politicising these issues.

**The PRESIDENT:** That sort of terminology is part of the usual political parlance in this place. The point of order is not reasonable. As in a range of previous rulings, there has to be a bit of robustness and thick skin in this place. There is no point of order. The Minister will continue.

**The Hon. JOHN GRAHAM:** As I have indicated to the House, I have very strong regard for the officials that I am working with in Transport for NSW. I expect them to use their judgement and inform me when there are matters that I need to be aware of. That is an important principle. It is not possible to set a rule about exactly when I should be notified. They are senior public servants so they are able to use their judgement. If I am uncomfortable with that, I will speak to the agency directly. As I have indicated to the House, I have done that in relation to the incident that several members have asked about. In that instance, I would prefer to have been told, but I expect the officials to make that judgement. We will have a respectful dialogue about my expectations. [*Time expired.*]

### NORTHERN RIVERS ESSENTIAL WORKERS

**The Hon. STEPHEN LAWRENCE (11:54):** My question without notice is addressed to the Minister for Regional New South Wales. How is the New South Wales Government attracting essential workers to the Northern Rivers?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:54):** I thank the member for his excellent question. The Northern Rivers is one of the State's most beautiful places to live. The region was recently hit by a range of natural disasters, but those communities are resilient and continue to grow. The Government is committed to supporting regional communities across New South Wales every step of the way. I am delighted to announce that the Government is expanding the very successful Welcome Experience program, which the Premier and I launched in Goulburn last year. Today's announcement expands the program into five locations across the Northern Rivers. Communities in Lismore, Tweed, Richmond Valley, Ballina and Byron will have local connectors to assist essential workers and their families to make the move to the Northern Rivers region.

The Welcome Experience is a free concierge service that supports essential workers to settle into regional communities. Local connectors help families find new homes, enrol their kids in local schools, join sporting clubs and find the best coffee joints in town. The Welcome Experience assists the relocation process by helping the partners of essential workers to find work in those communities. We know that workers and their families are more likely to make the move and stay in regional communities when they immediately feel like they belong upon arriving in communities across regional New South Wales.

The expansion of the Welcome Experience will add to the success of the program, which now operates in 55 regional local government areas across New South Wales. So far the Welcome Experience has helped 665 essential workers and their families to move to regional New South Wales, including 346 health workers, 110 educators and 42 police staff. In recognition of the program's success, it has been nominated for a 2024 Premier's Award for driving public sector diversity. With the expansion of the program into the Northern Rivers, the number of families successfully relocating to regional communities will continue to increase.

The Government understands how vital essential workers are to regional communities and to keeping our communities safe, healthy and vibrant. Under the previous Government, essential workers had their wages capped. Many left the State, leaving regional communities facing shortages of nurses, teachers and police. Our regional communities know that story very well. The Minns Labor Government is working very hard to fix those issues. We have ended the wages cap so we can pay essential workers fair wages and, as I am announcing today, we are now rolling out the Welcome Experience to bring essential workers back into regional communities. I am delighted to expand the program into the Northern Rivers. It has been a very successful program to date, and I look forward to seeing its success across the Northern Rivers.

### OFFSHORE PETROLEUM EXPLORATION

**The Hon. TAYLOR MARTIN (11:57):** My question without notice is directed to the Minister for the Environment. Is the Minister aware of an update to the Australian Securities Exchange on 11 October by BPH Energy Limited that states that a copy of the National Offshore Petroleum Titles Administrator recommendation that petroleum exploration permit 11, or PEP 11, be approved was among documents provided by the Federal Labor Minister for Industry and Science, the Hon. Ed Husic? What is the New South Wales Government doing to ensure that PEP 11 is not extended and that drilling does not occur off the coast of the northern beaches of Sydney, Lake Macquarie, Newcastle and especially the beachside suburbs of the Central Coast, such as Copacabana? As it happens, the boundaries of PEP 11 come closer to Copacabana than to just about any other beachside suburb on the map.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:58):** I thank the honourable member for his question. The short answer is no. I was not aware of the update to the Australian Securities Exchange by that company or what it is saying in relation to that issue. I am not aware of that, but the Government has already made it very clear what it is doing about it. The Government does not support offshore drilling for oil and gas in New South Wales waters, and we will not allow it to happen. That legislation was passed through this Parliament with a broad degree of support. The Government's position is pretty clear. The other issues are matters for the company, and I am not sure where all of that is up to. But the point I make is that the New South Wales Government is not allowing anything to happen in our waters.

### HOTEL CONSTRUCTION

**The Hon. SUSAN CARTER (11:59):** My question is directed to the Minister for Jobs and Tourism. How many of the proposed 40,000 new hotel rooms to be constructed in New South Wales by 2035 does the Minister

anticipate will be constructed by 30 June 2029? What impact will that new demand for construction have on the supply and cost of construction for meeting the target of 377,000 new homes in New South Wales by that date?

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:59):** I thank the member for her question. It is a good question about one of the challenges that the Government has been very up-front about as it has talked about what is going to happen with the tourism and visitor economy. Why is it going to happen? Firstly, Sydney is the best city in the world. That is not a bad start. But it is also because of the expanding airports and airlines in not just Sydney, with Western Sydney airport and Sydney Kingsford Smith Airport both rising, but Coolangatta, Canberra and now Newcastle going international. The State is going to see a visitor boom. That brings challenges. One of those challenges is where those people are going to stay.

The member asked a sensible question about the possibility of housing slipping off the agenda as we build hotel rooms, but I put the opposite case. If visitors arrive and we have not dealt with both the housing challenge and the hotel accommodation challenge, it will make the housing challenge far worse. People will want to stay in Airbnb properties and will squeeze people out of long-term accommodation because they will be staying in short-term rentals. The fact that visitors are on the way is the compelling case to have a plan and to be organised. It is a big challenge, but it is not insurmountable. Some 9,000 rooms were put into the hotel stock over COVID without a plan. The Government is now saying that, with a plan, it should deal with the challenge and raise the aspirations. If it succeeds, there will be an economic boon for the State. The Government hopes to lift visitor economy expenditure significantly to above \$90 billion per year by 2035. That is a huge economic boon for the State.

If the Government does not have a plan—if it gets it wrong and leaves it unattended—it will be cruel whatever it is trying to do on the housing agenda. For those reasons, it is important to focus on the challenge. As big as the challenge is, there are things that the Government can do. The State has succeeded in that challenge before. For example, there was a similar challenge before the Olympics. The Government is looking back at some of the things that worked then but also looking forward to the changes that the Government is already driving through on the housing side to see what could be applied. If we can apply a small amount of the energy and intensity that the Premier and the Government have brought to the housing challenge to the hotel accommodation challenge, we should be in a good position to meet it. If we do, the gains are significant. It will not be easy, but all the best challenges for government involve some complexity. This is one of those, but with a significant pay-off for the citizens of New South Wales if the Government gets it right.

**The Hon. SUSAN CARTER (12:03):** I ask a supplementary question. The Minister indicated that the Government needs a plan and that it will not meet the challenge without a plan. Will the Minister elucidate on what the plan is? How many hotel rooms will be constructed by 2029? What impact will that have on whether housing plans and tourism plans can be achieved simultaneously?

**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):** The Government has released the tourism review, which has put the challenge up in lights. The Government is drawing that to the attention of the public and the Parliament. It will now work through the issue. I will be sure to update the House in further detail.

**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*

#### **WORK HEALTH AND SAFETY**

**The Hon. NATALIE WARD (12:04):** My supplementary question for written answer is directed to the Minister for Roads. When was the Minister first made aware of the fatality near Narrabri that occurred on 12 December 2023?

#### **ROSEHILL RACECOURSE**

**The Hon. MARK LATHAM (12:04):** My supplementary question for written answer is directed to the Leader of the Government, representing the Premier. From 1 August 2023 to the end of last year, on what dates and in which way—in person or by other means in private—did the Premier discuss with Steve McMahon development opportunities at Rosehill Gardens Racecourse?

*Questions Without Notice: Take Note***TAKE NOTE OF ANSWERS TO QUESTIONS**

**The Hon. SARAH MITCHELL:** I move:

That the House take note of answers to questions.

**BROKEN HILL POWER SUPPLY****MINISTER FOR NATURAL RESOURCES**

**The Hon. SARAH MITCHELL (12:04):** I take note of answers given to the series of questions about the issues at Broken Hill. I do so as the leader of The Nationals in this place and also as the shadow Minister for Western NSW. I have spent a lot of time in the Far West over the years. There are some wonderful communities and people out there. It is clear that over the course of the past few days—almost a week since a tornado event caused a number of issues with the electricity system in Broken Hill—there has been a lack of action and a lack of support from those opposite. I acknowledge that there was an announcement yesterday around disaster declaration, but as the Leader of the Opposition in this place made clear in his question to the Leader of the Government, there is no information about that available on the NSW Reconstruction Authority or Service NSW websites. It is all well and good for the Premier to do a press conference in the middle of Sydney and say to the people of the Far West, "Don't worry; we are going to put supports in place", but there is no available information for members of the community out there.

The other concerning factor is that there is no clarity around that disaster declaration. We understand that at the moment it is only the categories that give support to local government around that replacement or fixing of critical infrastructure. That is important, but we also need that support for businesses and for families—the people who will be thousands of dollars out of pocket. I used the example of the Silly Goat cafe today, but I have to say that our phones have been running hot with information coming from the community in Broken Hill. Businesses cannot open their doors.

One resident told me that they have been without power for 34 hours out of the past 36 hours. It is not the odd blackout or brownout; there are rolling issues here. Imagine being in the heart of Sydney and being without power for 34 hours out of the past 36. It would not be acceptable. It is not acceptable that it is happening in Broken Hill. I acknowledge that the Leader of The Nationals, Dugald Saunders, is in Broken Hill today. He is on the ground to make sure that we are fighting for the community out there because it is important that someone is listening and making sure that what those community members need is being brought back to State Parliament.

I also briefly touch on the question asked by my colleague the Hon. Wes Fang about a number of individuals and discussions that the Minister for Natural Resources may have had. She clearly had no idea who those individuals were. It was a poor answer from the Minister. Those individuals are involved with Perilya mine, the biggest mine in Broken Hill. There are 500,000 workers off the job at the moment who have no idea when they will be back at work. It could be several weeks before the power is up and running, and the Minister for Natural Resources did not know who any of those people were. She could not give any information because those opposite are clearly not talking to anyone who works at Perilya mine. They are not worried about that. They are worried about playing cheap politics but not about putting help on the ground for the people who need it. It is not good enough. [*Time expired.*]

**KOALA PROTECTION**

**Ms SUE HIGGINSON (12:07):** With some degree of shock, I take note of the answer provided by the Minister for the Environment on behalf of the Minister for Planning and Public Spaces about koala protection. This Government is not doing anything to progress the development of the promised guidelines that were supposed to be drafted to assist councils to protect koala habitat in their local government areas. I find it hard to believe that after everything that this Government went through in opposition around the koala wars from 2020 to 2022, it is not doing anything in earnest to stop the National Party's koala wars. The Government has now been in power for over a year and a half. If we want to save koalas from extinction, the most important action to take is to identify and protect their homes. That was precisely what the guidelines were promised to do.

In 2018 The Nationals removed the requirements for State forests to thoroughly search for koala scats before logging and to protect identified koala high-use areas. They now do not have to do that at all; they just have to wait until a koala moves and then they can log the heck out of its habitat. From 2020 until 2022, The Nationals waged a war on koalas on private lands. They frustrated the mapping of core koala habitat, removed the ability for councils to zone koala habitat for protection, removed the prohibition on logging it and removed the need to obtain consent to clear it. To end the war and save koalas, the Government needs to do very basic

things like identifying and protecting core koala habitat. Endangered koala populations in New South Wales are rapidly declining. They will be extinct before 2050 unless we do something.

I cannot believe that I have learnt today that the Government has done nothing to address The Nationals' war on koalas. The Government has done so little that when I asked the Minister responsible about the war on koalas, she literally referred to it as if it was over. It is not over, because the Government is not lifting a finger to do the work that it has promised to do. There is literally a note in the law books of New South Wales saying, "We are developing a guideline. As soon as that guideline is developed, we'll amend the laws, and we will then be able to assist councils to identify and protect koala habitat." The Government has done nothing. It is shameful. The Minns Government cannot claim the war on koalas has ended.

### **BROKEN HILL POWER SUPPLY**

**The Hon. MARK BUTTIGIEG (12:11):** I take note of answers to questions asked about the incident at Broken Hill. Members opposite should apologise to the residents of Broken Hill for privatising a monopoly asset, which the Government had control of on behalf of electricity consumers in New South Wales. For those opposite who profess to know all about free markets and when things should or should not be privatised, one of the golden rules of economics is that you do not privatise natural monopolies. If there was ever an exemplar of a natural monopoly, it is transmission electricity assets. There is no entry; it is a monopoly. It is one in, one out, particularly in Broken Hill. I see the Hon. Wes Fang looking at me because the agrarian socialists in the National Party actually agree with us. That is why they did not privatise Essential, although they agreed to privatise Transgrid.

If members want an example of what happens when a natural monopoly is privatised, and a timeline for comparison, exactly the same thing happened in 2009—the radial line went down. But because Transgrid was 100 per cent owned by the Government, it was able to deploy the two gas-fired generators, which kicked in and restored supply. In 2015, under Premier Mike Baird, the then Government sold Transgrid for a one-off sugar hit to the budget of \$10 billion, forgoing billions in dividends and tax equivalents. The Government therefore ceded control to a private operator, which prioritises profit maximisation over the good of the taxpaying public, who want reliable electricity.

In Broken Hill, in order to maximise profits, the private operator does not maintain and invest in the second generator. When the line goes down again, this time under a private operator, guess what? The second generator is unable to be deployed. As a result, those people have been without power for weeks. That is not good enough, and no amount of regulation can fix it. The Minister will do everything in her power to try to get recompense for the public, but the reality is that, when the Government does not control the asset on behalf of electricity consumers in New South Wales, it cedes control to a private operator. It is a lesson never to do it again. It is a lesson for future governments that privatisation of natural monopolies simply does not work. How many times do we need to learn that lesson before we move on from the failed policy of privatisation?

### **BROKEN HILL POWER SUPPLY**

**The Hon. WES FANG (12:14):** If the residents of Broken Hill had power and an internet connection, which most of them do not at this stage, I think they would be dismayed if they were to tune in to question time in the Legislative Council today. As I take note of answers, I note the difference in approaches between the two sides of the Chamber. As we have just heard in the contribution of the Hon. Mark Buttigieg, it is clear that the focus of members opposite is on seeking to absolve themselves of blame by talking about history lessons. The number of history lessons we get in this Chamber from those opposite goes to the very heart of why nothing gets done. Their continual narrative is that "This happened, then that happened." On the flip side, the Leader of The Nationals, Dugald Saunders, is in Broken Hill right now because he knew that it was important for someone to be on the ground to meet with and talk to the people affected by the issue.

Government members are absolving themselves of any blame in relation to the fact that Broken Hill is cut off. From the Minister for Natural Resources' own answers, it is clear that they are not at all interested in talking to people on the ground to work out the practical steps that the Government can take to help those people out. It is of great concern that the Premier and members opposite are happy to stand up at a press conference to talk about things they would like to do, things they wish had happened or things they are going to do, when they are not even getting the basics right. The basics involve talking to the people on the ground and asking them what they need.

At the very least, the Government should get its website right so that people can make those applications. The Federal website refers people to the State website for information but, if people go to the State website, there is nothing there. Those are the basics. Whilst we get history lessons from those opposite, trying to absolve themselves of any blame, nobody is on the ground in Broken Hill to ask people what they want. Nobody is getting the basics right. It is all about history lessons. It is up to the Nats to be out on the ground, talking to people and

bringing back to Macquarie Street the message of what people in Broken Hill need right now. That is the lesson that members opposite should be learning.

### ROSEHILL RACECOURSE

**The Hon. MARK LATHAM (12:17):** I take note of the answer given by the Leader of the Government in relation to Rosehill. She suggested that the matter could be referred to ICAC. If I was to take up her suggestion, that organisation could make nine lines of inquiry. The first comes out of the ruling in the Berejiklian matter that a Premier should not use their public duty to maintain or further a close personal relationship. Prior to the meeting on 30 October, Premier Minns should have said to the Australian Turf Club [ATC] and his friend Steve McMahon, "I can't meet with you because clearly they're sending you here thinking that's the best way of influencing me. I need to meet with the chairman and the CEO of the ATC in relation to the sale of Rosehill."

The second line of inquiry is a matter that was canvassed—that the true purpose of the meeting on 30 October should have been revealed. ICAC is suspicious when those things are not transparent. It was not a meet and greet; it was a meeting with Steve McMahon to sell Rosehill Gardens Racecourse. The third matter that would be inquired into is the conduct of due diligence. At every stage of dealing with Steve McMahon, this thing was massively rushed. Proper process was not followed. If the due diligence recommended by ICAC had been followed, the Government would have quickly found out that there was no justification for the sale of Rosehill on the belief that 40,000 dwellings would bring a metro station. There was no valid valuation of \$5 billion. In fact, the true valuation is \$1.6 billion, as the vice-chair of the ATC has put to the Rosehill committee. Finally, the Government would have found out that there had not been an ATC board approval by the time the Government progressed the negotiations.

The fourth matter of inquiry would be the unsolicited proposal [USP] requirement for a unique commercial arrangement. There is none for that. USPs for metro housing development ideas are a dime a dozen. There was nothing unique about it. Far from being a useful commercial arrangement for the Government, it will cost it massively with future infrastructure funding. The fifth matter relates to the evidence of Katie Knight from Investment NSW that there should not have been a public announcement about this, short of the end of stage one. She gave compelling evidence of the wrongness of that. The sixth matter concerns the Government soliciting the USP because in the probity risk outline in the Government's own Project Wattle document, it listed the perception that the New South Wales Government is engineering an unsolicited proposal for a Government-driven transaction. That was more than perception; it was reality.

The seventh matter is that ICAC states that the Government needed to satisfy itself that direct negotiations were the only viable solution. It did not look at the obvious—the Environmental Planning and Assessment Act—for a rezoning and a metro location, as it would normally do. Katie Knight said there was no justification for direct dealing up to that point. The second-last matter is the Premier should not have announced his support for the matter, jeopardising fair government assessment of the USP. Finally, ICAC should have been listened to and the Government should have avoided the familiarity bias that states that if staff members have previously worked with a counterparty, they might not be fair in their dealings. [*Time expired.*]

### HEALTH INSURANCE LEVIES

**The Hon. EMILY SUVAAL (12:20):** I take note of answers provided today by the Treasurer. Again, I join his calls for the big four private health insurers to pay their bills. I welcome the news that today Healthscope has also joined the fight. Its homepage now says, "Some health insurers like big-profit Bupa and Australian Unity are bleeding local private hospitals dry. And we're all paying for it." Again, I call on those opposite to support the bill before this place to take the same steps that the former Treasurer Mike Baird took in 2013 to hold those funds to account to pay their bills. The private health insurers today cried poor about the impact on their bottom line and how they cannot afford to absorb the cut et cetera. That is just not the case. At the time we saw their profits almost double, we also saw them rorting our public health system to the tune of \$140 million a year. That money ought to be spent on direct patient care. Every dollar they rip out of our public health system is a dollar that should be spent on direct patient care.

It is also in the context of a time of diminishing returns to their members. Returns to members of the big four have decreased from 88 cents in the dollar to 82 cents. At the same time, their profits have almost doubled and they managed to give their executives record bonuses. I reiterate the call from our Treasurer, from those on the Government side and many on the crossbench, and from some of our private hospitals, for the big four funds to pay their bills, stop rorting our public health system and the taxpayers of New South Wales, and stop their endless campaign to paint themselves as hard done by or struggling. Those four companies have made record profits. They occupy 74 per cent of the market share in New South Wales. They can afford to do this; they ought to do this. They came to the table in 2013. They ought to do the same again now, and I encourage them to do so.

I encourage them to pay their bills because, again, every dollar that is ripped out of our public health system is a dollar that should go towards patient care.

### HEALTH INSURANCE LEVIES

**The Hon. SUSAN CARTER (12:23):** I also take note of the answer given by the Hon. Daniel Mookhey to the question from the Hon. Emily Suvaal about private health insurance. It is fascinating that, faced with the issue of increasing payments from private health insurers in relation to hospital beds in public health, the only answer the Treasurer can apparently see is to raise taxes. St Vincent's dealt with its issue with NIB by negotiating a solution. Rather than negotiate, our Treasurer wants to impose a new tax. In the situation that arose between Ramsay Health Care and Bupa, how did they achieve a solution? They negotiated. But our Treasurer wants to impose a new tax. We hear all the time about the excellent negotiation skills of the Government. In fact, some 12 days ago the Treasurer, in discussing his and his Government's excellent negotiation skills, said:

This agreement is proof that a mature government can bargain to reach a deal that's good for taxpayers ...

What is happening about bargaining with health insurers to reach a deal that is good for taxpayers? The alternative we are being presented with—an 85 per cent increase in a tax—is not good for taxpayers and will not be good for every single one of us who uses private health insurance or the public health system.

There are other ways, flagged by those in the industry, in which the Treasurer could approach this issue. For example, we may be looking at structural changes in the way hospitals are used. If we look at the increase in the use of day surgeries, that could be a major structural change. Is the health Minister addressing that? Is the Treasurer addressing that? Is a mature government addressing that? No. They are going straight for a tax increase. They are not looking at government. There are major issues with health inflation. Are they being constrained by this Government or fed by it? What will an 85 per cent tax hike do? It will drive up health inflation. The tax non-answer that this lazy Government is reaching for will not address the real issues, which should be dealt with by negotiation and addressing structural change.

### HEALTH INSURANCE LEVIES

**The Hon. CAMERON MURPHY (12:26):** I also take note of the answer given by the Treasurer in relation to the disgraceful conduct of these very few but very large private health insurers. We ought to correct the record. There was a negotiation, which was conducted by the Liberal-Nationals Coalition when it was in government for the first time. An agreement was reached that all the private health insurers would pay this fee. What did they do then? They broke it. There has been negotiation again, for months, to say, "Honour your agreement. Honour your deal. Pay what you have agreed to pay." They simply refuse to pay.

It is not all private health insurers. All but nine out of the 53 are paying it. The mutual funds and not-for-profits are paying what they agreed to pay. Day after day, week after week, we see from the Liberal-Nationals Coalition a protection racket for the executive bonuses of the four large private health insurers that refuse to pay what they agreed to. The Government is not alone in this. It is not only us, on behalf of the taxpayers of New South Wales, that has this problem. We are not Robinson Crusoe. Healthscope, CatholicCare, Ramsay and a bunch of people are in the same position, where these rogue private health insurers think they do not have to honour their obligations to pay.

The great thing about the bill before this House is it will put this issue to rest and force them to pay what they agreed to. It is important we do that because that money ought to come out of the executive bonuses of these healthcare funds. We will use it to improve the infrastructure of hospitals and the level of service we provide to public patients and private patients who, from time to time, use those hospitals. The insurers ought to pay the private room rate that they agreed to more than a decade ago. It is outrageous conduct, which is only surpassed by Opposition members who are backflipping on what they did 10 years ago. They are running a protection racket for people who are refusing to pay their bills.

### BROKEN HILL POWER SUPPLY

**The Hon. STEPHEN LAWRENCE (12:29):** I take note of answers given by the Minister for Energy relating to the unfortunate situation in the Far West. The priority now is attending to the needs of the residents of the Far West and ensuring that energy is restored as soon as possible. The Government has declared it to be a natural disaster, which will see money flow. I know that the Premier is planning to travel there tomorrow, which will be good for him to get a direct sense of what is happening on the ground. It has obviously caused Opposition members some consternation when we have dwelt on the immediate history of energy provision. For example, we heard from the Hon. Wes Fang that we should not be talking about history. There is an old saying that those who forget their history are doomed to repeat it. I cannot remember who said that, but I do not think anything truer has ever been said. Some important history needs to be taken into account to ensure that the same mistakes are not made again.



I give this historical anecdote. A similar thing happened in Broken Hill just over a decade ago. At that time Transgrid was a State-owned enterprise and power was quickly restored to the town. Between then and now, we have seen the privatisation of Transgrid. To a large extent, the 2015 election was fought on that issue. The Coalition was returned to government and it privatised Transgrid. I remember that election and I remember Coalition members saying they were protecting country New South Wales by not privatising essential energy. That was never true, and it has certainly turned out to be untrue because the Coalition privatised Transgrid, which is a natural monopoly. When the storm caused damage to the infrastructure in this incident, neither of the two generators was operating for a time. Transgrid was lawfully obligated to have both in place, but that did not occur. I will read out a social media post from a resident of the Far West who says it far better than I could:

The Leader of the NSW Nationals is in Broken Hill today casting the blame of the Power outages onto the current NSW Labor Government. If you are talking to Dugald just remind him that it was the Coalition Government that sold off the NSW Poles & Wires to private Enterprise, part of that sale included Transgrid. Although Dugald wasn't in Government when this decision was made, he is still in the Coalition. Private Enterprise doesn't invest in Government Infrastructure to spend money, they invest to make money ...

It was true then and it is true now; it is the fault of Opposition members.

### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (12:33):** In wrapping up this take-note debate, I rightly begin with the discussion we had today and yesterday on the issues being faced by the communities in Broken Hill and the Far West of New South Wales. There is no question that what is happening there at the moment with people not having power is not okay. The community deserves to have the issue fixed, and the Government's priority is to do exactly that. A lot of work is being done, and I refer to the details given by the Minister for Energy in her answers on that. An incredible amount of work is being done to get the power back on for the community of Broken Hill and the surrounding area. That is exactly what should be happening. A natural disaster has been declared, so support will be rolled out to the impacted community. As the Minister for Western New South Wales, I am acutely aware of this.

Yesterday I had a conversation with the mayor of Broken Hill, Tom Kennedy, to offer government support for anything that the community needs. This problem on the Premier's radar. As we just heard from the Hon. Stephen Lawrence, the Premier will visit the community. The local member for Barwon, Roy Butler, is representing his community very well on the issue. The priority is getting the power on. For Opposition members to come to this place and play politics with this issue is abhorrent, as it is for the Leader of The Nationals to leave the Parliament to travel to the community and play politics. He has a platform in this Parliament—as do all members of Parliament, including The Nationals—to raise issues on behalf of the community while this work is being undertaken. It is right that we are discussing the problem here.

Broken Hill and the Far West of New South Wales deserve every bit of attention from this Parliament. Again, as the Minister for Western New South Wales, I certainly will make sure that is the case. But the stunt of travelling there when the priority should be getting the power back on and doing the work required to get the issue resolved for the community is playing politics of the worst kind. The Nationals and the Opposition as a whole should be embarrassed by his behaviour. The Government will continue to do the work required to get this on track. Again, I remind the House and the community that privatisation by the former Government led to this situation. It is shameful that Opposition members pretend they did not privatise our energy network, which caused this problem. This is on them.

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

**Motion agreed to.**

### *Written Answers to Supplementary Questions*

### TRANSPORT FOR NSW WORKPLACE INCIDENTS

In reply to **the Hon. NATASHA MACLAREN-JONES** (22 October 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:

Date	Involved Party	Incident Type	Description
16/12/2022	Contractor (AECOM)	Slips, trips and falls	During a site visit to the M12 Motorway project, a contract worker twisted their ankle and fell to the ground when stepping over para-webbing. The worker was transported

			to hospital where they had surgery with pins inserted for multiple fractures of the lower right leg. The worker is expected to be non-mobile for up to 12 weeks.
9/01/2023	Contractor (Zinfra-subcontractor Suldig)	Caught In, Under or Between	On the M12 Motorway project, a contracted worker injured their finger and arm whilst handling a load of ATF panels. The worker's finger became caught between the panels and the chains, resulting in a deep laceration to their fingertip and a tear to their bicep tendon. The worker was released from hospital the same day, pending an appointment to assess if a skin graft is needed for their finger.
2/02/2023	Contractor (John Holland CPB)	Caught In, Under or Between	At the WestConnex construction site, a contract worker was injured whilst trying to remove two metal straps holding a stack of three precast stud piles, each weighing 200 kg. As the worker attempted to release the straps, the load suddenly shifted, trapping the worker's leg. The worker was rescued from the trap by a crane and transported to hospital. The worker sustained a laceration to the left shin and bruising to the upper left thigh.
21/02/2023	Contractor (Quickway Construction s)	Fire	At the Coffs Harbour Bypass construction site, a contract worker sustained burns to both hands whilst refuelling a small pump engine using a 20-litre jerry can when a pouring spout caught fire. Fire extinguishers were used to stop the flames, and the injured worker was transported to hospital.
20/03/2023	Contractor (Fulton Hogan)	Struck by (vehicle/ plant)	Whilst setting up traffic control on Linden Street at the Heathcote Road upgrade project worksite, a contracted worker, acting as a spotter, was struck by a traffic control light truck as it manoeuvred out from behind another vehicle. The worker sustained a hip injury from the truck's rear tray and was transported to hospital for surgery.
2/05/2023	Contractor (Axis Construction subcontractor)	Cut, Puncture, Scrape	A contract worker punctured their left forearm with a cordless drill whilst working on the Warringah Freeway Upgrade. The worker was transported to hospital for treatment and was released the same day.
4/05/2023	Community member	Collision	A contract worker entered a shared path with a fence panel and collided with two (2) cyclists. Both community members (CM) sustained injuries and were transported to hospital. The worker was unharmed.
5/06/2023	Contractor (Fulton Hogan Construction)	Working at Height	At Dark Creek, Rankin Park to Jesmond project, a contract worker fell 2.3 metres off the top of a culvert to the concrete drain floor whilst attempting to reinstate a suction hose for water diversion. The worker sustained minor bruising and informed that they did not require any medical treatment.
14/06/2023	Contractor (Fulton Hogan Construction)	Mobile Plant/Motor Vehicle Operations	At the Rankin Park to Jesmond project worksite, a contract worker sustained head and spinal injuries when they lost control of a heavy vehicle. The vehicle rolled down an embankment, colliding with a sediment basin wall. The worker was transported to hospital.
19/06/2023	Community	Collision member	An end-of-queue collision incident occurred whilst traffic control was in place on the Newell Highway, Tichborne. A CM vehicle collided with the already stopped vehicles, resulting in three (3) CMs being transported to hospital. No workers were injured.
3/07/2023	Contractor (CGU)	Slips, trips, and falls	At the M6 extension - Stage 1, a contract worker sustained a shoulder injury when they fell over stillage. The worker was transported to a medical centre and diagnosed with a dislocated shoulder and a possible fracture.
3/07/2023	Contractor (CGU)	Manual Handling	At the M6 extension - Stage 1, a contract worker strained their back whilst lifting heavy items. The worker was assigned to restricted duties.
24/08/2023	Community member	Struck an object	On Doncaster Avenue in Kensington, a CM (cyclist) sustained severe injuries when their bicycle collided with a newly laid asphalt raised edge line, resulting in a fall. The CM was admitted to hospital with fractures in their right clavicle, elbow, and hip. The incident occurred just before

			sunrise, and no warning signs or devices were in place to notify road users of the altered road conditions.
6/11/2023	Contractor (Fulton Hogan Construction-Hiway Stabilizers)	Exposure to chemical	At the Narrabri to Moree heavy duty pavement project worksite, a subcontractor sustained a hand injury when a flush hose split, spraying hot bitumen onto their hand. The worker was transported to a medical centre where the emulsion was dissolved and a dressing applied.
18/12/2023	Contractor (Ferrovia Construction (Australia) Subcontractor Protech Personnel)	Mobile Plant/Motor Vehicle	At the Coffs Harbour Bypass Project worksite, a mobile plant rolled over as the operator lost control of the plant whilst descending an access ramp. The worker was transported to hospital, where they were diagnosed with fractured ribs.
9/02/2024	Contractor (Durkin Construction)	Working Near Falling or Moving Objects	On the Wakehurst Parkway in Oxford Falls, two contract workers were injured whilst preparing to change the drill bit when the drill unexpectedly rotated, causing the attached wrench to strike them. One worker was thrown approximately 3 meters, sustaining minor injuries, whilst the other worker was struck on the lower right arm, resulting in swelling that induced severe shock. The worker was transported to hospital for treatment.
12/03/2024	Contractor (Ventia Australia)	Working Near Electricity or Gas	At the Western Harbour Tunnel worksite, a contract worker experienced a minor electric shock while inspecting the southbound Hampden Road Overheight Detection Control cabinet, inadvertently making contact with a live control.
7/03/2024	Contractor (FernForm Constructions)	Mobile Plant/Motor Vehicle Operations	On Obley Road in Dubbo, a contractor's vehicle veered to avoid hitting a kangaroo, causing it to roll over. Both the driver and a passenger sustained serious injuries (suspected broken necks) and were airlifted to Dubbo Base Hospital. Due to the severity of their injuries, they were later transferred to hospital in Sydney.
24/04/2024	Contractor (John Holland - CPB)	Other	At the Western Harbour Tunnel and Beaches Link Project worksite, a contract worker sustained serious injuries whilst undertaking tunnelling activities. The worker was transported to hospital.
29/04/2024	Contractor (Seymour Whyte Constructions)	Cut, Puncture, Scrape	At the M12 Motorway Project worksite, a contract worker sustained a laceration to the left index finger whilst cutting material for a kickboard with a circular saw. This resulted in a partial amputation and an open fracture at the first knuckle, requiring surgery. The worker was transported to hospital.
12/04/2024	Employee	Mobile Plant/Motor Vehicle Operations	A worker was involved in a single-vehicle accident on the M7 Motorway, a construction area with reduced speed limits. The worker was treated in hospital as an in-patient. They experienced lower back pain and have scheduled follow-up medical appointments.
1/05/2024	Contractor (BKH Group)	Working at Height	At the M6 Stage 1 Project worksite, a contract worker sustained a shoulder injury after falling approximately two (2) meters when a scaffold failed in a shaft. The worker was treated on-site by paramedics.
3/05/2024	Contractor (Etch Plant Hire)	Slips, trips, and falls	At the Coffs Harbour Bypass Project worksite, a contract worker sustained a severe leg laceration when their foot slipped through a loading ramp on a body truck and digger combination. The worker was transported to hospital, where they underwent surgery the next day. SafeWork were notified.
7/06/2024	Contractor (Seymour Whyte Constructions)	Caught In, Under or Between	At the M12 Central Project Worksite, a subcontract worker sustained a fingertip injury while servicing a diesel compressor. During final checks, the fitter's rag and finger were pulled through the fan guard, resulting in the amputation of the tip of their left middle finger. The worker left the site without reporting the incident and later underwent surgery to reattach the fingertip (Medical treatment injury).
24/06/2024	Contractor (John Holland & CPB)	Caught In, Under or Between	At the Western Harbour Tunnel and Beaches Link Project worksite, a contract worker sustained a pinched finger injury while changing a shank on a rock bolter. The injury was not immediately reported as it was not initially

			apparent. However, the worker later required surgery and returned to work on the next shift with light duties.
24/07/2024	Contractor (Fulton Hogan)	Struck by (vehicle/ plant)	During a night shift at the Rankin Park to Jesmond - Newcastle Inner City Bypass worksite, a contract worker (Traffic Controller) was struck by a community member's (CM) vehicle involved in a police pursuit. The CM's vehicle was traveling east at high speed along Newcastle Road when it approached stationary traffic at the worksite near the Jesmond roundabout. The CM's vehicle drove around the stationary vehicles, collided with bollards and an e-boom, and struck the worker positioned beside thee-boom. Although the police had their lights on, there were no sirens, giving the worker limited time to avoid being hit. The worker was transported to hospital.
9/08/2024	Contractor (John Holland)	Caught In, Under or Between	At the M7-M12 Integration Project worksite, a worker caught their left hand and forearm between the belt and the head drum roller while performing maintenance activities on a conveyor. The worker was transported to hospital where they received medical treatment for a crush injury to left wrist/forearm.
15/08/2024	Contractor (CPB UGL Ghella JV)	Working Near Falling or Moving Objects	At the M6 Stage 1 Project worksite, whilst spraying shotcrete with machinery, a piece of wet shotcrete fell from the roof and struck the worker's right arm, resulting in a fracture. The worker was transported to Kogarah Hospital for surgery.
28/08/2024	Contractor (Seymour Whyte)	Working Near Falling or Moving Objects	At the M1 to Raymond Terrace Project worksite, a worker was hit in the head by a large plywood sheet that had been blown off a stack due to strong winds. The worker exhibited confusion and memory issues after the incident and was taken to the hospital for assessment.
29/08/2024	Community member	Collision	At the Narrabri to Moree Project worksite, a community member's (CM) heavy vehicle (HV) and a light vehicle (LV) towing a horse float collided within section 2 of the project, south of Edgeroi. The LV rolled onto its side, and the horse float overturned onto its roof, resulting in the fatality of two horses. The driver of the LV was severely injured and trapped in the vehicle, whilst the passenger of the LV sustained minor injuries. The driver of the HV was uninjured.
29/08/2024	Contractor (Ferrovial Gamuda JV)	Cut, Puncture, Scrape	At Coff's Harbour Bypass Project worksite, a worker sustained a hand laceration while grabbing some steel out of a rack. A rag was wrapped around the worker's hand and the Supervisor was notified. The worker was transported to hospital for medical treatment.
			<b>ROM/RMR Road Construction/Maintenance Injuries</b>
6/07/2024	Contractor (Downer Edi Works)	Struck an object	During the Lachlan Street reconstruction and resurfacing works in Hay, a paver loading conveyor operator accidentally struck a mature ash tree with the vehicle's boom, causing the tree to fall to the ground towards the pedestrian walkway. This incident occurred as the operator was moving to the heavy vehicle parking area with a spotter on foot due to the increased local traffic in the area. The Shire Council was notified.
8/07/2024	Contractor (Downer Edi Works)	Struck an object	During the Lachlan Street reconstruction and resurfacing works in Hay, a truck unloading conveyor operator experienced a "lockout" of the steering while attempting a turn. Unable to correct the steering, the operator engaged an emergency stop which failed to stop the vehicle in time and struck a Callistemon tree, causing the tree to fall over. The Shire Council was notified.
3/02/2023	Contractor (Capital Lines & Signs)	Exposure to chemical	At a temporary worksite on the Hume Highway in Marulan, a contract worker sustained a burn to their face whilst trying to clear an applicator hose attachment. The worker was attempting to install raised pavement markers when hot bitumen was unexpectedly released, causing the burn. The worker was transported to hospital.

8/02/2023	Employee	Working Near Electricity or Gas	At a temporary worksite on Picton Road, Wilton, a worker received an electric shock whilst testing a modem. The worker was transported to hospital as a precaution.
22/02/2023	Employee	Cut, Puncture, Scrape	At temporary worksite west of Narrandera on the Sturt Highway, a worker received a splinter from a wooden broom handle. First Aid was administered on-site, but the worker was later hospitalised due to dehydration, which may have contributed to an infection of the splinter site.
24/02/2023	Employee	Other	At a temporary worksite in Gerringong, a snake bit a worker's clothing causing them to fall and twist their ankle.
19/02/2023	Contractor (Chandler Macleod)	Other	Whilst using a chainsaw to cut branches around a wire rope fence on the Hunter Expressway in Lovedale, a contracted worker experienced lower back pain. The worker was transported to hospital for assessment, physiotherapy, and pain treatment. They were admitted and stayed in hospital for three (3) nights. Note: The incident was reported to the Call Centre on 01/03/2023.
15/03/2023	Contractor (Snowy Valley Council/Mulligan Geo Technical)	Working at Height	Whilst conducting tree-felling activities at the Alpine Way Slope Works, a contracted worker in an elevated work platform was injured when a tree fell and struck the basket. As a result, the worker fell from a height of approximately four (4) meters onto the boom and the ground. The worker was airlifted to hospital with a broken leg for surgery.
3/04/2023	Contractor (Wolfcon)	Release of stored energy	At a rest area near Tyndale, Big River Way, a contracted worker performing vegetation work sustained a facial injury when a ratchet strap dislodged under tension while moving a mower from a bogged position, striking the worker in the face. The injured worker was transported to hospital for treatment.
17/04/2023	Contractor (Fulton Hogan)	Slips, trips and falls	Whilst attempting to climb back into a trailer tip truck at a temporary worksite located 7 km west of Wagga Wagga, a contract worker sustained injuries when the truck rolled and tipped over, causing the worker to fall 2.5 meters and land on their back. The worker was transported to hospital, where they were diagnosed with a cracked vertebra in their neck.
11/05/2023	Contractor (Traffic Logistics)	Collision	Whilst workers were packing traffic control equipment on the M1 Motorway, Morgans Road, a community member's (CM) vehicle collided with a truck-mounted attenuator (TMA). The TMA driver, initially trapped inside the vehicle, was taken to hospital for assessment and sustained minor bruising from the impact. No injuries were reported for the CM driver. Note: The incident is reported as significant due to potential media exposure.
15/05/2023	Contractor (Douglas Park Earth Moving)	Mobile Plant/Motor Vehicle Operations	A contract worker on the Wombeyan Caves Road Project sustained injuries when the tip truck they were driving veered too close to the edge and rolled down a 70-meter embankment. The driver was transported to hospital.
26/05/2023	Employee	Exposure to chemical	Whilst clearing a hose blockage during the grouting of voids beneath the M1 Motorway slabs, a worker's body and eyes were inadvertently sprayed with grout due to a fitting detachment at the pump outlet. The injured worker received rinsing treatment at the hospital and will undergo specialised treatment for continued concerns. Three (3) other workers were involved in the incident but were not injured.
1/06/2023	Contractor (Workforce Road Services)	Mobile Plant/ Motor Vehicle Operations	A contract traffic controller sustained a fractured leg and a neck laceration when their vehicle rolled down an embankment whilst driving back to their accommodation after completing work on the Golden Highway. They were airlifted to the hospital.
15/06/2023	Employee	Release of stored energy	During wire rope repairs at a temporary worksite, a worker sustained a laceration when a wire became loose from a clamp and struck their arm. The worker was transported to hospital.
26/07/2023	Community member	Collision	On Putty Road in Mt. Thorley, a work crew from TfNSW (a driver and two workers) was on their way to a worksite

			when they became involved in a severe multi-vehicle accident that resulted in a fatality for a CM. The crew's truck collided with the CM's vehicle at the merging point of two lanes, causing the CM's vehicle to veer across the road and collide with another truck travelling in the opposite direction. The CM passed away at the scene. No physical injuries were reported for TfNSW's workers, however, they experienced psychological trauma.
15/08/2023	Contractor (Traffic Logistics)	Collision	Near Palmers Road on the M1 southbound, a community member's (CM) vehicle (B Double truck) disregarded warnings, entered a work zone, and collided with an occupied attenuator (TMA) during pothole repair works, resulting in a contract worker sustaining potential spine and neck injuries. The worker was transported to hospital.
21/08/2023	Employee	Collision	Whilst on their way home from a callout shift on Allison Street in Coffs Harbour, an employee was involved in a vehicle accident, colliding with a CM's vehicle. The worker sustained a bruised chest and was transported to hospital. Following their recovery, they have resumed their normal duties.
31/08/2023	Contractor (Abergeldie Subcontractor)	Caught In, Under or Between	At the New Dubbo Bridge project, a contract worker's right foot became trapped under a trailer's wheel whilst attempting to steer it from the back. The worker sustained a crush injury to their foot and was transported to hospital.
6/09/2023	Contractor (TCG Planning)	Collision	A community member's (CM) heavy vehicle collided with a contract worker's traffic control vehicle whilst turning into an intersection on Pelican Creek Road, South Gundurimba. The worker was transported to hospital, where they were diagnosed with four (4) spinal fractures in the neck and significant lacerations to the back of the head.
20/09/2023	Employee	Working Near Falling or Moving Objects Working	At the Kingswood Wallaga Lake Bridge project worksite, a load (a timber beam) shifted and struck a worker's leg whilst being lifted by a crane. The worker was admitted to hospital overnight, but scans revealed no fractures or significant damage.
11/10/2023	Employee	Working Near Electricity or Gas	At the Ray Wedgewood Bridge over the M1 Motorway, two (2) workers received a mild electric shock whilst concrete coring with a 240-volt powered drill and water ingress to keep the core bit cool.
31/10/2023	Contractor (Polaris Marine Construction)	Fire	At the Nelligen Bridge Replacement worksite, a contract worker sustained superficial burns to their hands when a five-litre plastic container they were using to refuel a hydraulic power pack caught on fire.
31/10/2023	Contractor (Abergeldie Complex Infrastructure)	Mobile Plant/Motor Vehicle Operations	At a temporary worksite approximately 60 km west of Orange, two contract workers sustained injuries when a Franna Plant/Motor crane, utilised to transport pile casings, rolled over onto its side and struck a worker with the lifting cable. The injured Vehicle
9/11/2023	Contractor (Acciona)	Struck by (vehicle/ plant)	A traffic control marshal on the New England Highway was struck by a road sweeper. The injured worker was admitted to hospital overnight and received treatment for minor lacerations.
9/11/2023	Community member	Struck an object	On the Mitchell Highway Vittoria East, a community member's (CM) vehicle struck a variable message sign trailer positioned near the fog line. The driver and both passengers of the CM's vehicle were transported to hospital. Vehicle struck a variable message sign trailer positioned near the fog line. The driver and both passengers of the CM's vehicle were transported to hospital.
17/11/2023	Community member/Contractor (Seymour Whyte-Subcontractor Polaris Demolitions)	Collision	At the Nelligen Bridge Replacement project worksite, a contractor's Heavy Vehicle (HV) transporting concrete spoil was involved in a fatal collision with a CM's vehicle travelling in the opposite direction. The CM sustained fatal injuries whilst the HV driver experienced soft tissue injuries.

20/11/2023	Community member	Collision	An end-of-queue collision incident occurred during resurfacing works on the Sturt Highway. A CM's HV collided with two other CM's HVs that were already stopped, leading to the fatality of one of the drivers in the stationary HV.
27/11/2023	Contractor (Georgiou Group- Subcontractor DC Civil)	Slips, trips and falls	At the Parkes Bypass project worksite, a contract worker slipped whilst reinstalling a track on a skid steer loader, resulting in a fracture in their left ankle. The injured worker was taken to hospital, where subsequent scans revealed fractures in two places.
27/11/2023	Employee	Working Near Falling or Moving Objects	During bridge maintenance activities in Combaning, a worker sustained a hand injury when a spreader bar fell with its chain from the top of a work shed, striking the worker's hand. The incident was attributed to a miscommunication between the worker and the dogman, leading to the unintentional displacement of the spreader bar. The worker experienced swelling and discomfort.
1/12/2023	Employee	Caught In, Under or Between	A worker sustained a hand injury when their finger became caught between the top of a toolbox and the handle frame of the generator. The worker was transported to hospital for surgery.
12/12/2023	Contractor (Walgett Shire Council)	Struck by (vehicle/ plant)	At a Road Maintenance Council Contract (RMCC) roadworks site in Wee Waa west of Narrabri, a contract worker was fatally struck by a mobile plant whilst it was reversing to perform road sealing work.
4/03/2024	Contractor (Complete Linemarking Services)	Collision	On the northbound lane of the M1 motorway, 4 kilometres from Bushells Ridge Road in Wyee, a contractor's Pavement Marker truck (RRPM) was struck by a community member's (CM) truck resulting in injuries to one of the contract workers. The worker was transported to hospital with head injuries. After three days of monitoring, the worker has been discharged.
5/03/2024	Contractor (Forbes Shire Council)	Release of stored energy	At a temporary worksite near the Lachlan Valley Way, Tomanbil, a transfer hose between a bulk tanker and a spreader truck became blocked during the transfer of hydrated lime. The operator disconnected the hose, causing the release of pressurised hydrated lime, which led to three (3) workers requiring first aid treatment due to exposure.
12/03/2024	Employee	Working Near Falling or Moving Objects	At a temporary worksite on the Old New England Highway in Liddell, two workers were injured when the tailgate of a truck became loose and struck them. The incident occurred whilst the team leader was manoeuvring the truck forward. Both injured workers were transported to hospital, and the tailgate was secured.
12/03/2024	Employee	Manual Handling	At a temporary worksite on the Illawarra Highway in Macquarie Pass, a worker accidentally struck themselves in the jaw with a crowbar whilst breaking up concrete. This resulted in a soft tissue injury on the right side of the neck, localised pain, restricted movement, and dizziness: The worker was transported to hospital.
23/04/2024	Contractor (Care Traffic Management)	Collision	Whilst making a U-turn during traffic control setup on the Kings Highway, Braidwood, a contracted traffic control utility vehicle was struck by a community member's (CM) vehicle. One passenger in the utility vehicle was airlifted to hospital with significant injuries. Emergency services were advised whilst the scene was secured. SafeWork NSW were also notified.
27/04/2024	Contractor (Wolfcon)	Collision	At a rest area in Mullengandra, a contract worker cleaning the bathroom was injured whilst packing up and loading their utility vehicle when a truck (CM) entering the rest area collided with their vehicle. The worker was transported to hospital.
21/05/2024	Contractor (Workforce Recruitment & Labour)	Caught In, Under or Between	At a temporary worksite in Akolele, south of Narooma, a worker sustained a finger laceration whilst positioning a timber stud. The injury occurred when the worker's hand slipped and became caught between the lowering timber

			and a protruding bolt in the headstock. The finger injury necessitated surgical treatment.
7/08/2024	Community member	Collision	A TfNSW maintenance team was cleaning phone bays on the M1 Pacific Motorway near Morisset with a slow lane closure in place when a community member's (CM) truck (B-double tanker) traveling at approximately 100 km/h collided with a truck-mounted attenuator (TMA), resulting in the tanker of the truck tipping over, catching fire, and the trailer detaching from the truck. The truck's driver (CM) was rescued from the burning vehicle and transported to hospital. The TMA driver was assessed by paramedics on site and sustained no injuries.
13/08/2024	Employee	Working Near Electricity or Gas	At a temporary worksite in Karuah, a worker received an electric shock on their stomach while using a power tool. The worker was transported to hospital for precautionary electrocardiogram (ECG).
20/08/2024	Employee	Working Near Electricity or Gas	At the Curreeki Creek Bridge, a worker received a minor electric shock to their left hand while using a hammer drill. Work was halted and the drill was tagged out. The worker reported being slightly light headed after the shock and was transported to hospital for assessment.
			<b>Greater Sydney Road Construction/Maintenance-Injuries</b>
13/01/2023	Employee	Slips, trips and falls	On the Sydney Harbour Bridge, a worker fell on the blast pipes whilst squatting on them to adjust the plastic sheet for the roof of the lower boom containment area. They lost their balance and fell on their backsides, resulting in sharp pain in their right hip, which dissipated after a rest.
23/01/2023	Contractor (Georgiou Group)	Working Near Electricity or Gas	While performing an electrical under bore across the M4 westbound offramp, a contracted drill rig operator struck a part of the Erskine Park Road intersection traffic control system (TSC), causing a TCS blackout. The operator felt a tingle but denied medical attention, believing they were fine.
4/09/2023	Contractor (Quickway Constructions)	Slips, trips and falls	At the Bells Line of Road corridor improvement project worksite, a contract worker tripped and sustained an injury whilst rushing down the steps to exit the shed. The worker was transported to hospital and diagnosed with a broken ankle, requiring a procedure to set the fracture.
25/09/2023	(John Holland)	Working Near Falling or Moving Objects	At the Stage 3B Rozelle Interchange C WestConnex project worksite, a subcontractor was struck by a small rock in the eye as they removed their safety glasses to clean them after finishing the task of moving a trailing cable. The worker was transported to hospital to have the small fragments surgically removed.
1/11/2023	Contractor (Sydney Road Asset Performance Contract)	Caught In, Under or Between	During traffic signal maintenance on Spit Road, Mosman, a contract worker sustained a finger crush injury when they unintentionally placed their thumb between the hammer slide and the bottom of the handle whilst opening a pit lid. The contractor was transported to hospital and diagnosed with a broken finger requiring surgery.
22/11/2023	Contractor (Acciona-Subcontractor Cono Services)	Working Near Falling or Moving Objects	During the lifting operations on the Western Harbour Tunnel and Beaches Link, a contract worker acting as a spotter sustained a leg injury when a steel beam, previously secured by a chain on an excavator, rolled and struck their left leg. The worker was transported to hospital where they were diagnosed with a fractured leg requiring surgery.
13/12/2023	Contractor (Fulton Hogan Industries)	Cut, Puncture, Scrape	A contract worker sustained a hand injury when their hand came into contact with an exposed pair of pruning shears on the ground while engaged in hedge-cutting activities along Windsor Road T-Way, Rouse Hill. The worker suffered a laceration requiring medical treatment despite wearing gloves at the time of the incident.



*Committees***PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE****Government Response**

**The Hon. TARA MORIARTY:** I table the Government response to report No. 63 of Portfolio Committee No. 1 - Premier and Finance entitled *Artificial intelligence in New South Wales*, tabled on 29 July 2024.

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

*Private Members' Statements***TOBACCO REGULATION**

**The Hon. ROD ROBERTS (14:01):** I speak about an increasingly concerning issue that is becoming a major problem in New South Wales: illicit tobacco. The growing popularity and widespread availability of illicit tobacco, including under-the-counter cigarettes, poses a very serious threat to public health and undermines the safety and prosperity of our communities. These products are smuggled in and sold in corner stores and tobacconists. Because they avoid government taxes, they can be sold to consumers at significantly lower prices than those of legal products. A legal pack of 20 cigarettes costs around \$50, but illegal variants can be bought from the same store for as little as \$15. Given that difference in price, it is no wonder that the demand for illicit tobacco products has skyrocketed—nor is it any wonder that criminal networks are chomping at the bit to get in on the action.

To give members an idea of the size and scale of the smuggling operations being conducted by organised crime syndicates, we need look no further than the amount of illicit tobacco seized by the Australian Border Force. While 400 million cigarette sticks were seized at the border in 2018, that figure more than quadrupled to 1.8 billion last financial year, which is a clear sign that demand is growing. What is also growing is the economic impact of this illicit trade. It is not only hurting legitimate businesses but also costing our State and Federal governments billions of dollars each year. According to the Australian Taxation Office [ATO], illegal tobacco products sold in the 2021-22 financial year cost the nation an estimated \$2.3 billion in lost tax revenue and, in the ATO's own words, "was channelled into organised criminal activities".

That money could be invested back into essential services such as health care, education and infrastructure. Instead, it is being funnelled into the hands of criminal networks that are using the proceeds of illicit tobacco to fund other criminal activities. Those criminal networks are also responsible for the so-called tobacco wars in Melbourne—a bloody development between rival gangs that has resulted in drive-by shootings and the firebombing of more than 100 tobacco stores over the past 18 months. New South Wales has not gone untouched, with tobacco stores in Ettalong and Taree recently destroyed by mysterious fires. As such, there are now serious concerns in the community that the tobacco wars have reached New South Wales, and growing fears that the wars will spread to Sydney. There are also serious concerns among mum-and-dad small business owners who are struggling because they cannot compete with those who sell illicit tobacco.

So what should we do about it? The first thing—and I welcome the efforts of the Independent member for Wagga Wagga, Dr Joe McGirr, in this space—is to introduce a strict licensing regime in New South Wales so that tobacco products can only be sold by those who hold a tobacco licence. The second is to impose much tougher penalties on illegal operators, with mandatory prison time for those who sell illicit tobacco products, to level the playing field for law-abiding retailers. The third, which would really squeeze the life out of the entire illicit tobacco trade, is to pressure the Federal Government to reduce the tobacco excise. That might be an uncomfortable decision, but as long as illegal tobacco products are four to five times cheaper than legal ones, demand will continue to skyrocket, as will criminal efforts to fulfill it.

**MUDGEES FUEL PRICES**

**The Hon. SAM FARRAWAY (14:04):** I speak about fuel prices in Mudgee. Having spent a bit of time in Mudgee in recent weeks, I have been approached by many locals and small businesses from in and around Mudgee that have expressed concerns about the inflated prices of fuel there, whether it be unleaded or diesel, and the impact that is having on the cost of living and business operations. While travelling around, one must fuel up the car. Last Friday I fuelled up in Mudgee and paid \$2.10 a litre for diesel. On Sunday I found myself in Orange and I paid \$1.81. How can there be a 28¢ per litre disparity in fuel prices for two neighbouring regional towns when the travel route over the Blue Mountains is the same and they are a similar distance away?

It is quite evident that motorists in Mudgee are feeling the pain because they are getting hit hard at the bowser. I have written to the chair of the Australian Competition and Consumer Commission [ACCC] and

requested that it initiate an inquiry to determine why Mudgee's fuel prices are significantly higher than surrounding towns and whether unfair practices are contributing to that issue. Locals have expressed frustration that they have been trying to have the issue addressed for years. They have lobbied their local Federal member, written to the ACCC themselves and even written to petrol stations, but they get the same old answer.

The reality is that this is the ACCC's job. How can there be such disparity within the Central West? Petrol is cheaper everywhere else than it is in Mudgee. In Gulgong diesel is \$1.89 per litre, in Bathurst it is \$1.79 and in Orange it is \$1.81. At a minimum, it is 25¢ to 35¢ cheaper to fuel up outside of Mudgee. It clearly demonstrates that the fuel companies and the big supermarkets do this because they can. The locals call it the mining and tourism tax on Mudgee. That is unfair because there are plenty of small business owners, mums and dads, families and pensioners who live in the region. Why should they pay a stealth tax? It is a mining and tourism tax imposed by the major supermarkets that control petrol. It is totally unfair. I have written to the ACCC, and I will also write to all the major petrol station companies. This has got to stop. It is totally unfair and totally unjust.

### DRUG CHECKING

**The Hon. STEPHEN LAWRENCE (14:08):** I speak about a trial occurring at the moment whereby users of the Kings Cross safe injecting room can have their illicit drugs checked. That welcome and worthy initiative should be rolled out across the State. Drug checking is a generally free, voluntary and confidential harm-reduction practice in which people can check to find out what is in a drug or substance they plan to use. The primary goal of drug checking is to empower individuals to make better informed decisions about their drug use through knowledge of the substances they are using. It also has the additional and extremely important public health benefit of improving and enhancing the surveillance of illicit drug supplies, which can lead to quicker warnings and other vital information being disseminated.

A lot of the public discussion on drug checking focuses on pills and music festivals, but drug checking as a harm-reduction strategy in relation to drug use exists far beyond pill testing at music festivals. There may even be something slightly insidious about the overemphasis on music festivals. It belies the reality of overdoses in Australia and the incredibly important broader use of evidence-based drug checking across community settings to save human life. Between 2000 and 2019, there were 64 deaths at music festivals, most of which involved males in their mid-twenties, and drug toxicity was the most common primary cause of death, followed by external injuries. Annually, drug overdoses Australia-wide take between 1,800 to 2,200 lives a year. For example, in 2022 opioids contributed to 49.3 per cent of unintentional drug-induced deaths. There were 926 such deaths.

Drug testing occurs around the world in locations other than music festivals. There are more than 30 drug-checking programs around the world, including in Portugal and the United Kingdom, with both fixed-site and event-based models, such as health services and at community events, parties and festivals. Closer to home, CheQpoint in Queensland is providing fixed-location and event-based drug checking services in Brisbane and the Gold Coast with health experts on hand. Members of the community are able to have their drugs checked on Thursdays and Fridays, and the service is accessible to a wider audience than just music festival goers, including diverse members of the community. It also covers more diverse forms of drug testing.

This service is also a direct link into appropriate drug and alcohol services, supports and guidance, and other programs such as the Queensland Needle and Syringe Program. Although the loss of young lives in preventable circumstances at music festivals is as tragic as any other death, statistics show music festivals are not the main game for preventing unintentional deaths from drug use. These issues warrant some serious discussion that goes beyond the media-driven focus on music festival drug testing and must include experts and those with lived experience at the Government's upcoming Drug Summit.

### CONSTITUTIONAL MONARCHIES

**The Hon. JOHN RUDDICK (14:11):** Some support constitutional monarchy because "if it ain't broke, don't fix it". That is shallow. I support constitutional monarchy as it is the finest form of government yet known. It is an odd system at face value, but the Crown's significance is not in the power it possesses; rather, it is in the power it denies others. Someone has to be at the apex of any constitutional arrangement. Simply allocating that role by birth prevents a dispute about who sits atop the apex. Republics often descend into upheaval, or worse, as egomaniacs jostle to occupy the apex. The constitutional monarchies of the Anglosphere, Scandinavia, the Caribbean, the Pacific and elsewhere are conspicuous for their stability.

The Crown wields no power bar the reserve powers to dismiss a government during a heated political impasse and then to call a fresh election. It acts as a pressure relief valve. We did not have a constitutional crisis in 1932 or 1975. Prime Minister Whitlam, when dismissed, played an honourable role with his first words, "God save the Queen." He thereby acknowledged and accepted the Crown's authority. He contested and lost the election weeks later. There were no tanks in the street and no bloodshed. Central to the compact is that the monarch remains

apolitical. Impartiality is essential, if the Crown does dissolve a government, so that it cannot be accused of partisanship and thereby cause polarisation. The reign of Queen Elizabeth II was impeccable. The public knew not her political leanings. Her son, however, has sadly and frequently waded into politics.

Supporters of the Crown were anxious that, as King, he would refrain from commentary. In Australia this week, King Charles III has continued his advocacy in favour of global warming. When parliaments spend billions trying to change the weather, it is absolutely political. Publicly he should be neither a global warming advocate nor a sceptic. The King is welcome to be an activist on the condition that he abdicates. I want Australia to continue being protected by constitutional monarchy, so I urge the King to desist and respect his duties. If he persists, a campaign will commence for an Australian Crown. Queen Mary of Denmark is Australian born, and we could consider inviting one of her children to reside in Yarralumla to be a Scandinavian-style low-key monarch that fulfills the duties of the Governor-General.

**The Hon. Chris Rath:** Point of order: An adjournment speech delivered last night and another one last week both contained quite profound disrespect to the Crown. I am loath to mention this, but it is my understanding that there is a standing order that does not allow members to disrespect the sovereign. I ask all members, including my friend the Hon. John Ruddick, to not disrespect the Crown in this way.

**The PRESIDENT:** I will consider the point of order taken by the Hon. Chris Rath. The Hon. John Ruddick was making an intellectual case, and I am happy for him to conclude it in the seconds remaining on the clock. However, the member's point is well taken, and I will familiarise myself deeply with that standing order. I will be focused on its interpretation in the weeks and months ahead.

**The Hon. JOHN RUDDICK:** I appreciate your wise ruling. This is an intellectual case. An Australian Crown would mollify the argument against a foreign monarch and secure the blessings of constitutional monarchy until we reach the libertarian utopia. Well may we say God save the Crown, just not an activist one.

#### TEACHER POLITICAL DISCOURSE

**The Hon. RACHEL MERTON (14:15):** A recent promotion by the radical group Teachers for Palestine calls for a "week of action" in schools this week. This is yet again a blatant violation of the NSW Department of Education code of conduct. It is a disturbing example of how this flimsy code is being repeatedly ignored.

I seek leave to table the handbook, flyers and other materials in circulation issued by Teachers for Palestine, which encourage teachers to use classrooms as platforms for political activism.

**Leave granted.**

**Documents tabled.**

**The Hon. RACHEL MERTON:** This group is encouraging teachers to use their classrooms as platforms for political activism, including hosting events like "Watermelon Wednesdays" and promoting solidarity with the Palestinian cause by wearing keffiyehs or displaying symbols that have no place in an apolitical educational environment. The Department of Education code of conduct is explicit in its requirement that teachers maintain professionalism and ensure that schools remain neutral spaces that are free from the intrusion of controversial and divisive political matters. The code makes clear that schools should be places of learning, not arenas for political protest. Teachers hold a unique position of authority and influence over young minds, and the code of conduct is designed to safeguard the integrity of the classroom by preventing the imposition of personal political beliefs on students. This is particularly important in New South Wales, which has students with diverse and wideranging backgrounds in each classroom.

In its 12-page booklet, Teachers for Palestine boasts that no disciplinary action has been taken against teachers who defy the code. It is a meaningless code. It is a flimsy code. It means nothing. This sends a troubling message that the code of conduct is not being enforced or respected. It creates a dangerous precedent where teachers feel emboldened to disregard the rules and to walk away from the principles of independent education. I sought to move a motion today as formal business, but it was knocked back by The Greens. The formal business item was to uphold the teachers code of conduct and apply appropriate sanctions if a breach is determined, and yet this simple message was ignored. The code of conduct addresses issues in the classroom and environment, including bullying and harassment. Schools should be an independent environment for students to learn in. I have raised the code in budget estimates many times, and I will continue to prosecute for the code.

#### NUCLEAR ENERGY

**The Hon. PETER PRIMROSE (14:18):** When the Federal Leader of the Opposition, Peter Dutton, first announced the Opposition election promise to build nuclear power stations to meet Australia's zero-emissions commitment, two thoughts immediately ran through my head: firstly, the Federal Liberal-Nationals apparently

now acknowledge that human-induced climate change is real and accept the need for action; and, secondly, how absurd it is to respond to this epiphany by wanting to build nuclear power plants. Energy companies across Australia are in the business of making profits, and do not take ideological positions about climate change. They are neutral when it comes to the technology of energy production.

At the Australian Financial Review's Energy and Climate Summit held earlier this week, the chief executive officers of energy companies slammed the role of nuclear in meeting our net zero emissions targets. It beggars belief that nuclear energy could be conceived as a serious option in this country by a major political party. The CEOs attending the AFR summit made comments on the difficulties of commercialisation of nuclear energy. They said that the cost and scale of nuclear energy is not feasible, that the nuclear energy debate is a distraction and that the focus should be on the renewable energy technologies that are currently available and are already known to work. They also said that the focus needs to be on the here and now and the things that energy companies can do in the next 10 years, especially to alleviate rising energy costs of households, and that Australia already has a resource-rich environment, especially solar and wind, to achieve energy security. It is incredibly telling that the Chair of the Climate Change Authority, former Liberal Minister and member for Hornsby Matt Kean, said:

I suspect that even those arguing for nuclear don't believe we'll ever build one of these reactors in Australia ... and certainly not in time to help manage the exit of coal from the system – but they get their grabs in the news ...

Currently, coal contributes almost half of electricity generation in Australia, and it is expected that 90 per cent of coal-fired power will exit the energy market by 2035. The experts in the field of energy economics have estimated that the Liberal-Nationals nuclear plan will cost approximately \$600 billion, take 20 years to even start delivering energy, deliver just 4 per cent of energy to the grid and push up power bills by more than \$1,200 per year. My colleague the Hon. Penny Sharpe identified the key issue at hand when she said:

Our challenge is to manage the [coal] exit as quickly as we can, while replacing it with renewables.

Why would any serious political party champion nuclear power when there is already a program rolling out for renewable energy that ticks all the boxes and that we know works?

### NSW STATE TRAP CARNIVAL

**The Hon. MARK BANASIAK (14:21):** Earlier this month, I had the privilege of attending the 2024 NSW State Trap Carnival from 4 to 7 October at the Australian Clay Target Association National Shooting Ground at Wagga Wagga. It was an honour to be invited to this prestigious event and to present an award at the dinner. This carnival is one of the highlights of the clay target shooting calendar, and it certainly lived up to expectations. I thank the NSW Clay Target Association for putting together such a well-organised event. Everything ran smoothly, from the competitions to the atmosphere. I thank the committee for their hard work. Whether competing, watching or volunteering, it was clear that a lot of effort went into making this carnival a success, and many eyes were watching. The level of competition was incredible. Trap shooting is no easy task; it requires both precision and mental strength to perform under pressure. Every competitor brought their best, and it was a pleasure to witness.

All competitors deserve recognition, but in particular I congratulate a few standout performers from the weekend. Grady Evans claimed the title of Champion of Champions with an outstanding performance. Another highlight was the induction of Tracy Barton into the Hall of Fame, acknowledging her immense contribution to the sport over the years. This honour is well deserved, and it is wonderful to see her achievements recognised. Peter Attard dominated the double rise event, scoring a perfect 50 out of 50, and also claimed the overall high-gun for the carnival. His consistency across multiple events was truly impressive. Glenn Barton took home the double barrel championship with a perfect score of 50 out of 50, followed by an incredible 490 straight shots in the shoot off, proving his skill and composure under pressure.

In the handicap event, Lucas Young rose to the challenge, scoring 50 out of 50, plus one out of one, demonstrating his ability to perform under unique conditions that require shooters to stand further back from their regular mark. On Sunday, Terry Aiho shone in the single barrel event, shooting 50 out of 50 and then three out of three in the shoot off to secure the title. Finally, Darryn Nicholls triumphed in the point score event, flawlessly hitting 150 out of 150 in the event and then 105 out of 105 in the shoot off. His skill and determination were evident in this demanding competition.

I congratulate all the winners: Grady, Tracy, Peter, Glenn, Lucas, Terry and Darryn. Their dedication and hard work paid off, and they should be incredibly proud of their accomplishments. Of course, it was not just about the winners. Every competitor, volunteer and spectator contributed to making the carnival a success. The spirit of sportsmanship and camaraderie was on full display. It is events like these that strengthen the community. I extend special thanks to the friends and families of the competitors who came out to support them. It was a team effort that made this event memorable, and I look forward to next year's carnival.

## PARLIAMENTARY FRIENDS OF EMPOWERING OLDER WOMEN

**The Hon. AILEEN MacDONALD (14:24):** I am happy to inform the House of the increasing support for the Parliamentary Friends of Empowering Older Women Group. As co-chair I am proud of the bipartisan nature of the group and how it seriously reflects the challenges older women must address, such as financial abuse and economic safety. At a recent event held at Parliament House, we heard from two extraordinary women who are leading the charge to protect and empower women in very real, tangible ways. Catherine Fitzpatrick, founder and director of Flequity Ventures, addressed the group on her mission to disrupt financial abuse and gender bias towards women. 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.

Whether it is coercive control, unauthorised account access or what is chillingly referred to as "sexually transmitted debt", Rebecca's advocacy aims to reframe these abuses as financial crimes. These are not just personal matters; they are systemic failures that need systemic solutions. One thing both speakers made abundantly clear is that no woman is immune from the threat of financial abuse. Whether young, old, wealthy or struggling, women from all walks of life can find themselves victims of this crime. But for older women the risks are particularly devastating because they often have fewer pathways to recover financially after years of abuse and control. Our speakers emphasised that financial abuse is not just a personal tragedy but also a societal failure that requires urgent attention. It is particularly heartbreaking that many older women, after lifetimes of contributing to society, find themselves isolated, controlled and stripped of their financial independence.

We cannot simply stand by and admire the work being done by these trailblazers. As policymakers we need to be proactive to ensure financial safety for women. It needs to be designed into the very fabric of our systems. Businesses, banks and government institutions must all step up to prevent financial abuse, make it easier for women to seek help, and hold perpetrators to account. Empowering older women is about ensuring that women can age with dignity, security and the confidence that their rights and contributions are valued. This is a fight we cannot afford to ignore, and I am proud to advocate for real and lasting change.

## BROKEN HILL POWER SUPPLY

**The Hon. EMILY SUVAAL (14:27):** The events of the past week in Broken Hill have raised serious questions about Transgrid's preparedness for a natural disaster. Big transmission network companies have obligations to meet reliability standards, including having redundancy in the system. One could reasonably expect that in a storm-prone area like Broken Hill, which has one transmission line in and one transmission line out, there would be two backup generators and, further, that they would both be properly maintained and in good working order. To have one generator conk out after 24 hours of use is one thing, but to have the backup generator out of action for 12 months is entirely unacceptable.

Let's call this out for what it is. What we are seeing is a direct result of privatisation. Mayor of Broken Hill Tom Kennedy put it brilliantly when he said, "One of the problems with privatisation is, when anything is privatised, a lot of companies look at their bottom line and, where they can save money, they will save money." Leaving a backup generator that is supposed to service one of the most isolated parts of our State out of action for 12 months is entirely unacceptable to the people of Broken Hill and its surrounds. They have paid their electricity bills, month after month, and are now being asked to reduce their electricity use in peak periods, chuck out their perished food, not send their kids to school or, worse still, they have no power at all.

The previous Coalition Government gave away control of companies that provide critical public services to the people of New South Wales—and this is a direct consequence. What is worse is that, at the time, the Berejiklian Government crowed about it in a media release titled "NSW achieves outstanding result in \$10.258 billion TransGrid lease." They went so far as to say that they were spending taxpayers' money more wisely on things that make a difference to their daily lives, like better schools. Let me say now a better school is not one that is closed because the electricity provider that the former Government privatised is not providing power to it. The adequacy of our critical services, such as electricity supply, should not be subject to the whim of private investors, but thanks to the previous Liberal-Nationals Government's obsession with privatising our assets, it is. What is worse is the Liberal-Nationals have not changed. Recently they opposed the safeguarding of the future of Hunter Water.

I acknowledge the huge community effort underway in Broken Hill and the surrounding towns. I acknowledge the member for Barwon, Roy Butler, for his advocacy on behalf of his local community. I know this circumstance must be very frustrating for communities in Broken Hill. I cannot imagine what they are going through. I assure them I share their frustration. The New South Wales Government will continue to work around the clock and will get to the bottom of what happened.

## HUNTING AND SHOOTING CLUBS

**The Hon. ROBERT BORSACK (14:30):** New South Wales hunting and shooting clubs provide ongoing firearms safety training and mentorship that is essential for fostering responsible gun use. The Shooters, Fishers and Farmers Party firmly believes firearms safety is a continuous commitment that must be reinforced over time. Regular training sessions, club engagements and communications keep members updated on best practices, safety protocols, and legal obligations, ensuring they internalise long-term safety habits. The model also allows experienced hunters and shooters to mentor newcomers, passing on essential real-world knowledge and reinforcing safe handling techniques.

Insights from New Zealand further support this approach. In police inspector Joe Green's report *Deer hunting in New Zealand: Safety lessons from the field*, he identified target misidentification as a major cause of hunting accidents. His research emphasised that ongoing training and mentorship significantly reduce such incidents. By continuously engaging with safety training, hunters and shooters can develop the situational awareness necessary to prevent accidents, particularly in field conditions where misjudgements can be fatal. In New South Wales, hunting and shooting clubs offer structured safety training focused on practical measures, including safe storage, handling and target identification. These programs ensure shooters and hunters maintain safe practices throughout their membership.

The Shooters, Fishers and Farmers Party opposes any shift towards a formalised academic framework for firearms safety training. Such a model risks overcomplicating the training process, shifting focus away from practical and easily applied safety principles towards bureaucratisation. The current community-driven model has been proven effective in reducing accidents, promoting a culture of responsibility, and ensuring widespread accessibility. By keeping the focus on practical safety measures rather than bureaucratic procedures, New South Wales hunting clubs continue to foster a safe and responsible firearms and hunting community that values ongoing education and mentorship. We only have to look at hunting safety over the past 20 years in New South Wales to understand that club membership and mentoring are of extreme importance.

### *Bills*

## ALCOHOL CONSUMPTION IN PUBLIC PLACES (LIBERALISATION) BILL 2024

### Second Reading Debate

#### Debate resumed from an earlier hour.

**The Hon. CHRIS RATH (14:33):** I support the excellent Alcohol Consumption in Public Places (Liberalisation) Bill 2024, introduced by the Hon. John Ruddick. I do not think there is anything wrong with getting on the beers with your mates on a sunny afternoon in Sydney. Although I am probably not on the beer side of under 40 these days; I am probably more on the Aperol spritz side of heading towards my forties. But the restrictions have gone on for too long. Some of them are absurd and absolutely ridiculous. Just the other day I said to the Hon. John Ruddick that I remember coming out of lockdown in 2021, being at my local park, Beare Park in Elizabeth Bay, and thinking, "Am I allowed to drink here?"

We were having a picnic and a bottle of wine and I thought, "Am I even allowed to open a bottle of wine here?" I looked around for signage and I could not see anything indicating that I could do it and I could not see anything indicating that I could not do it. I am a law-abiding citizen and I did not want to break the law. The situation was completely unclear. I had to look at the City of Sydney's website to check whether or not I was permitted to open the bottle of wine at this picnic. The sad thing is that we have slid so far down a path of government control that I thought I had to seek some type of permission to drink alcohol in that public park. That should not have been the case. There was nothing that indicated I could not do it, so I should have been free to have a drink without a permit or some signage indicating that I was allowed to drink there. We should be free to do whatever we want, so long as it does not harm someone else. There certainly was not a sign indicating that I could not do so.

So I think, based on personal experience, we have gone a bit too far with these ridiculous restrictions. There is almost an assumption by people that they are not allowed to drink anywhere in public places, unless there is some type of permit or signage indicating they can. If we are able to drink in a restaurant, a pub or a club, at the footy, and in all types of different venues, I do not see why we should not be allowed to drink in a public place like a park while having a picnic, so long as we are not harming someone else, as I mentioned earlier. Of course, there is a role for the police when it comes to antisocial behaviour, which is entirely appropriate. I do not think anyone would dispute that, but the ongoing practice of councils constantly putting in alcohol-free zones throughout the whole State has gone on for too long and too far. It was not what was envisaged. It was envisaged to be used more as an exception, but now it very much has become the rule.

The Hon. John Ruddick is trying to pare that back a bit by pointing out that this has gone on for too long. It is not what was envisaged and it is a blow to our individual freedom and liberty. I do not know exactly what problem councils are trying to fix with these restrictions. If someone is antisocial and is a massive alcoholic, they will drink in the park regardless of whether it is an alcohol-free zone or not. They will just go to the bottle-o, get some goon and sit in the park all day. When the police come, they will dispose of the goon and probably move on to somewhere else.

That is the nature of antisocial behaviour, but the people who are impacted most are the good law-abiding citizens who just want to open a bottle of wine and have a picnic down at Elizabeth Bay. They are not allowed to because alcohol-free zones are cropping up everywhere, or they are not sure whether they are allowed to. I was a member of the committee that examined the bill. One of the things the committee considered and one of the recommendations the committee was very interested in was not just the reduction of these alcohol-free zones but also better signage and better clarity about where and when the zones exist. It is all too uncertain. We should not have to navigate hundreds of different council websites to ascertain whether or not we can drink in a public place. That also is a really important point.

Even if the bill is not passed, in the interests of vibrancy, having fun and cracking down on the fun police, the Minister could consider cracking down on some councils or having a centralised website where people can clearly see, park by park or area by area, where people can drink alcohol and where they cannot, and when alcohol-free zones are operational. That would be very helpful for people who just want to have a good time without breaking the law. This is a good bill. I am not leading for the Opposition in the debate. The Hon. Scott Farlow will lead for the Opposition; I was just filibustering until he came to the Chamber. He will take the lead from here. But it is good to stand up to nimby councils and to have more freedom when it comes to people having a fun time. This is a great bill for fighting against the fun police. I say well done to the Hon. John Ruddick.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (14:39):** I thank the Hon. Chris Rath for filibustering—not just on behalf of the Opposition but also on behalf of the Government, as I grabbed the wrong speech as I was running down to the Chamber. I thank the Hon. John Ruddick for introducing the Alcohol Consumption in Public Places (Liberalisation) Bill 2024. I also thank him for his remarks. I thank him but disagree with his remarks as he was bringing the bill out of the committee inquiry into the second reading speech. A really sensible observation was discussion with the former Premier about how sometimes dynamics work with the crossbench in this Chamber. I have seen those dynamics under a range of governments. I do not want to disagree in general, but I do think it is worth distinguishing, in this area, how the Government is trying to work.

I have been very clear that I do regard vibrancy and changes in this area as shared work. That is a very genuine approach. I am very happy to give credit to good ideas. We are looking for members to lean in and contribute, either through the committee system or through bills, in the way that the member has. The member has brought bills to the Chamber and changed them or adapted them with more information from agencies. That is exactly the sort of approach in this area that will pay dividends and it has influenced some of the approaches that the Government has taken, for example, in the vibrancy space. There are often hurdles to doing that—I want to be up-front about that. These are complex areas of the law. We have to be careful that there are not unintended consequences, as there often are in these areas. Regulating at Elizabeth Bay is not the same as regulating in areas in the bush in this State, and these laws have to apply in both places.

As we are introducing laws—and I make this clear about the vibrancy laws—it is often very slow working in Government and it is often hard to give members enough time to make amendments on the fly, given those complexities. But we are very happy to give credit where it is due, adopt ideas and accept amendments when we can. I issue an open invitation to members to continue to work together on this, including potentially through the committee system of the Chamber where the Government would be very open to doing some more focused work with members.

From a Government point of view, we also have a responsibility to get the answer right. We cannot take chances with the law. We have advice from agencies as well. To be upfront as a Minister, the pressure is on when we are making changes to be really confident that they will work on the street—in the real world—and will not have unintended consequences. I thank the member for his comments. I think they were both instructive and important.

The Government will not support this bill. We have been trying to work with three key principles and this bill is not strictly aligned with those. First, we are open to the general direction that the member is heading in. But the Government is trying to drive a pro venue agenda. These changes when it comes to freeing-up alcohol use, in the Government's view, would be best started initially around venues rather than simply at large. The risk of

snapping straight to at-large changes is that it may weaken our venue structure across the State. That is one of the key concerns that the Government has.

The second is that the Government's agenda in vibrancy is much more focused on entertainment than alcohol. There are alcohol changes we should drive. The member has advocated for some; the Premier has advocated for others. We are making changes, but I make that distinction. The Government is unapologetic about trying to create that third revenue stream for venues through entertainment. Finally, generally in this area, this has been a pro council agenda. The bill runs over the top of some of the tools for councils. The Government is cautious about that because if we do not have councils on board, we cannot drive this change. That is the reason we have generally taken a pro-council approach. It is not that we think councils are always delivering on this. Often they are not. They have been a handbrake on some of this. But if we do not have them in the cart, it is very difficult to get the momentum that the Chamber would like to see.

I have outlined the three broad principles or reasons for the Government not supporting this specific bill. But we are open to the arguments that the member makes and I am confident he will continue to refine them. Members know the provisions of the bill. To state the current law, consuming alcohol in public places is currently permitted in New South Wales, except where it is proscribed by local authorities. The primary means for managing that consumption is the establishment of two areas: alcohol-free zones, which apply to road-related public areas, such as public roads, footpaths and car parks; and alcohol prohibited areas, which apply to non-road-related public places, such as parks. The zones and areas are established under the Local Government Act 1993 by councils. Some public land managers may also establish them under their establishing Acts. The shortest way to describe the effect of the bill, if enacted, is that in practice, if declared, those zones or areas would have no effect.

The Government is committed to increasing the vibrancy of the State, but we do have to balance safety. That is a real factor for the Government. There are potential benefits from more flexible consumption, including boosting vibrancy, boosting the visitor experience and the ability for our community to socialise at low cost or no cost. We also have to consider the impacts on vulnerable communities that sometimes happen in these zones. There are impacts in those ways. There are also challenges if we go down the path of wiping out the zones or areas altogether. Possible harms include the health and safety impacts on the community, litter vandalism and environmental impacts, noise impacts, perceptions of safety—just as important as safety and how people actually experience their community—and alcohol-related violence, crime or antisocial behaviour. We might hope those things are not the case, but the truth is that they are and they impact differently in different parts of the State. Importantly, and the member can speak to this more strongly than I can, when the bill was referred to the committee inquiry—and I thank him for going through that process—they were some of the issues that were highlighted in the range of views that were presented by stakeholders.

On the question of when should we regulate and who is best placed to do that, one of the issues is that this bill imposes a one-size-fits-all approach. It removes the ability of local land managers to manage public safety. The zones or areas are one of the tools that councils have in their toolkit to manage this. That flexibility allows them to deal with either long- or short-term use of public spaces, which sometimes can be very important. Again, that falls foul of the principle we are trying to drive, working with councils, asking them to accept responsibility for managing their local communities. If the zones or areas had no effect, that would impact on areas where I think the community expects there would be some regulation. To give members some examples, I refer to the legal consumption of alcohol in children's playgrounds or in or around swimming pools. Those are some areas that councils tend to particularly want to regulate. That gives us some sense of the balance of community interests that they are trying to manage using those tools.

I also highlight areas where there have been specific issues in the past. In particular communities around the State, like it or not, there have been issues and councils have had the tools to manage them. If the bill were successful, police officers would retain their powers. They would be the only people authorised to confiscate alcohol, whereas currently council rangers can also do so. That is one of the key tools that councils would lose when it comes to managing impacts, and in certain parts of the State that would have significant impact.

They are probably some of the key areas. I did promise to talk about some of the changes that the Government is making that are specific to the alcohol space. The Government's vibrancy agenda is largely—and unapologetically—about entertainment, but we have made sensible changes. The Premier has been very supportive of those and, as the member indicated, publicly supportive. We thought it appropriate to make sure councils are permanently empowered to approve temporary street activations because getting people outdoors together is important. A permanent exempt development pathway has been established for outdoor dining on private land and outside registered clubs. It has been made easier for restaurants and small bars to sell liquor for takeaway and home delivery.

Councils also have additional powers to declare special entertainment precincts and change trading hours for performance venues. They can also extend the venue types to include those that might gain the benefit of



special events. That is one of things that the Government has advocated for and this Chamber has supported. Crucially it is that decision to allow adults to make the choice, and not the State or the council. When they feel like having a drink outdoors, whether they sit or stand is not a question for the State; it is a question for the individual. It is a change that should not have to be made but it is one that the Government supports.

I thank members for supporting the second tranche of the vibrancy reforms. The Government has worked step by step through those changes and the Government is open to further changes. I encourage members to continue to advocate and work through the details with the Government. We would like changes to support the principles that I have outlined: pro venue, where we can; pro entertainment; and pro council. We do believe change needs to be made in this space to get a better balance.

I particularly want to emphasise the pro-venue part. There will be a time when our venue ecosystem is less fragile but currently snapping straight to major changes risks having an impact right across the board. Sidestepping pro-venue changes first could impact current venues and more could be lost. That is one of the views put forward by some industry groups during discussions with the Government. That weighs heavily on the Government but it is an important discussion. I thank the member for bringing the bill to the House.

**The Hon. SCOTT FARLOW (14:51):** I lead on behalf of the Coalition, with some delay, to contribute to debate on the Alcohol Consumption in Public Places (Liberalisation) Bill 2024 proposed by the Hon. John Ruddick. From the outset, I confirm that the Coalition supports the legislation. It is vital that we trust our citizens to act responsibly in public spaces, whilst having the mechanisms to deal with those who act inappropriately. The overwhelming majority of people in our community are capable of enjoying a drink with friends or family in public without causing disruption or harm to others.

I note the comments of the Minister responsible, the Hon. John Graham. While being pro venue may be important, being pro individual is also important. We are in a cost-of-living crisis and many people seek to get together with a couple of friends in the park to have a picnic and share a drink. Adults should be trusted to make their own decisions, and government intervention should be limited to areas where it is truly needed. An overarching aim of the Liberal Party, and our Nationals cousins, is to keep government out of people's lives as much as possible. The balance struck to allow public drinking while preserving the tools needed to address bad behaviour reflects a mature approach as we make Sydney and New South Wales more vibrant. That balance recognises that the actions of a few should not dictate the freedoms of the many.

The bill represents a shift in how we regulate alcohol consumption in public spaces across New South Wales. Due to the number of competing priorities, in June the House referred the legislation to Portfolio Committee No. 1 for further investigation, and I will refer to evidence given to the inquiry. Through submissions from local councils, health experts, law enforcement and community groups, the inquiry helped illustrate the complex issues surrounding public alcohol consumption. It identified both the potential benefits of liberalising alcohol laws, such as increased individual freedoms and economic support for hospitality businesses, as well as the risks, including public safety concerns and alcohol-related harms. The Coalition is satisfied that the legislation strikes an appropriate balance between individual liberties and community safety, and responds to growing calls for more flexible regulations around alcohol consumption while ensuring safeguards are in place.

The bill confers a right to individuals to consume alcohol in public places, subject to exceptions for culturally or religiously significant areas such as war memorials or places of worship, and areas where public safety may be at risk due to intoxicated or disorderly behaviour. Those are reasonable exemptions that address the need for respect in sensitive locations. The bill also preserves police powers under existing law to manage intoxicated individuals, ensuring that mechanisms are in place to deal with antisocial behaviour. In fact, we would not want council rangers to be taking up that charge. It is important to note that the bill does not override existing provisions under the Law Enforcement (Powers and Responsibilities) Act 2002 that allow police to issue move-on orders and handle disorderly conduct. While the bill seeks to liberalise public drinking, it does not strip authorities of their power to manage antisocial behaviour.

One key concern raised by councils and public health experts during the inquiry was the potential for increased harm due to the lack of Responsible Service of Alcohol [RSA] controls in public spaces. In licensed venues, RSA requirements are in place to ensure that intoxicated individuals are not served and that alcohol is consumed responsibly. In contrast public spaces do not have those mechanisms, raising questions about how to manage intoxicated individuals in public settings. Local Government NSW also pointed out that alcohol-free zones are a tool for managing alcohol-related risks during peak periods such as holidays, festivals or major public events. Removing the ability for councils to manage those zones could undermine public safety in such circumstances. However, the bill's supporters argue that that concern can be mitigated through other mechanisms, such as maintaining existing police powers to manage disorderly conduct. The Coalition is satisfied in that regard.

The inquiry also considered the cultural impact of liberalising alcohol consumption in public. Proponents of the bill argue that the legislation could reduce binge drinking and foster a more responsible drinking culture by normalising moderate consumption. They pointed to international examples such as the alcohol in parks program in Vancouver, Canada, where public drinking laws were relaxed and a subsequent reduction in binge drinking was reported. One benefit of the legislation is the potential to support hospitality businesses by making it easier for people to drink in outdoor spaces adjacent to licensed venues, such as footpaths. It is not uncommon for patrons to be prevented from enjoying a drink on the sidewalk outside a pub, which is a regulation that many feel is overly restrictive. Pubs have security guards constantly reminding people standing outside, who are causing absolutely no harm, to stay within a tightly specified area because they fear the business being fined.

Sydney is one of the world's great cities and it deserves a reputation as a vibrant, lively and welcoming place for both residents and visitors, not as the capital of wowserism. It is important we ensure that Sydney is a more vibrant city because, rightly or wrongly, the city has been saddled with a perception that it lacks the energy and spontaneity of other global cities. I know the Minister is acutely aware of that and is concerned about it. The lack of energy and spontaneity by patrons is often attributed to the layers of regulation that restrict how people can socialise in our city and our State. I give the Minister credit for his vibrancy legislation, which seeks to address that.

Local governments also want to drive the nightlife in their communities, which are away from the Sydney CBD. For example, a key focus of Parramatta council this term is to grow the night-time economy in Parramatta, the heart of Western Sydney. Policies that make it easier and more desirable for people to socialise at a lower cost should be encouraged. It is beneficial for the wellbeing and mental health of the wider community to make socialising more accessible and, like it or not, that often happens over a drink. We can achieve that by making socialising more affordable. Individuals could buy drinks from shops and enjoy them in public spaces, reducing the pressure on customers to constantly spend inside venues. It is not uncommon these days for a beer at a licenced venue to cost upwards of \$15.

**The Hon. Jeremy Buckingham:** Shame!

**The Hon. SCOTT FARLOW:** I note that interjection. As housing mixes change and more apartment living becomes commonplace, parks, beaches and other public spaces will be used not just for exercise or recreation but also as community gathering places where people can unwind and enjoy time together. Sydney is a city blessed with beautiful weather and scenic spots, so allowing Sydneysiders more freedom to enjoy those spaces socially with a drink in hand would create a more vibrant and dynamic atmosphere for our city and our State. It is also vitally important that we have ways for people to get around our city around the clock, and the bill is one more component of fostering a more effective 24-hour economy in Sydney. The Coalition has proposed the extension of the Sydney Metro to run 24 hours on Thursday and Friday nights. That initiative would complement expanding the use of public spaces and relaxing the rules for socialising in public spaces. I encourage all members to support the Coalition in calling for a 24-hour metro.

The driving motivation behind the bill, as put forward by the Hon. John Ruddick and as articulated by its proponents, is to reflect the socially accepted behaviour of people today. The current laws restricting alcohol consumption in public places are seen as being out of step with reality because many people already drink responsibly in public without causing harm. For example, I struggle to believe that people are not enjoying a beer on the beach during summer. Proponents argue that by formalising that norm, we can foster a more vibrant public life in New South Wales that is similar to other global cities where public alcohol consumption is permitted.

Alcohol legislation varies significantly across countries, reflecting different cultural norms, societal values and public safety concerns. In countries like Italy, Austria and Switzerland, the public consumption of alcohol is generally more relaxed and widely accepted. For instance, Australian tourists come back to Sydney from Italy speaking about the freedom they had to drink while walking through the streets and not encountering antisocial issues. Public drinking in outdoor spaces like parks or squares is common and legally permitted. In those nations, the emphasis tends to be on responsible drinking and fostering a culture of moderation rather than strict regulation.

Meanwhile, South Korea allows public drinking in parks and other open spaces. I noted that myself when I was there earlier this year. It created a vibrant atmosphere on the banks of the Han as people came together with food stalls and were drinking on picnic mats. It created an amazing environment. The United Kingdom strikes a balance, allowing public consumption in many areas, though local councils can issue what are known as designated public place orders to curb antisocial behaviour in specific zones. Those examples highlight the varying approaches to alcohol legislation, which often depend on balancing cultural traditions with public safety and order.

In conclusion, the Alcohol Consumption in Public Places (Liberalisation) Bill 2024 seeks to modernise and simplify alcohol consumption laws across New South Wales, in keeping with many current practices. However, it is critical to ensure that adequate safeguards are in place to protect public health and safety. It is the

Coalition's view that that is done through the existing powers that are provided to the police when it comes to antisocial behaviour. As such, I commend the bill to the House.

**Ms CATE FAEHRMANN (15:01):** I speak on behalf of The Greens in debate on the Alcohol Consumption in Public Places (Liberalisation) Bill 2024. I indicate at the outset that The Greens do not support the bill. It is certainly the case that The Greens support a more liberal, progressive approach to alcohol and other drug laws. Drug and alcohol prohibition does not lead to harm reduction. In principle, we do not disagree with the concept of the liberalisation of alcohol consumption in public places. However, there are a number of problems with the bill. I have spoken to the Hon. John Ruddick about our support for the bill in principle, but I will go through some of the issues with the bill. There could be something down the track that The Greens would possibly support.

The bill proposes to introduce a new Act with the aim of limiting the prohibition and regulation of the consumption of alcohol in public places. It seeks to provide a right for individuals to consume alcohol in public places and to override local government control on alcohol prohibitions. As the Minister for Music and the Night-time Economy said, it is technically legal to responsibly consume alcohol in most parks and public places in New South Wales, but councils place restrictions on alcohol consumption—for example, to restrict the time of consumption, consumption during special events, consumption on high streets and consumption in certain public places. In his second reading speech, the Hon. John Ruddick referred to countries like Germany, France, Belgium and Italy, where public drinking is allowed with little to no disorderly conduct or violent crimes. It is true that that is what you witness when travelling around those countries.

I spoke yesterday in the Chamber about my recent trip to Italy, which has been referred to by other members in the debate as well. The first evening that I arrived, I went wandering through a square at 10 o'clock on a Friday night while jetlagged. There seemed to be a thousand young people hanging out. It was extraordinary. I have not seen that in Sydney for a very long time. A few of them had a bottle of something in their hands, but there was no concern. We need to remember that those European cities have late-night trading. Restaurants and many shops were still open. I listened to other contributions to the debate, including those of the Hon. Scott Farlow and the Hon. Chris Rath. Let us remember that those cities do not have police and sniffer dogs everywhere. Police are not harassing and corraling people and getting everybody to walk this way or that way. That is part of the culture.

Everyone talks about how wonderful it is that you can drink in a public space and have a picnic, but the other wonderful thing about those European cities is that the police are walking around in pairs, not heavily armed. They are friendly and are not harassing people. That is a big part of the culture here. I note that many of those countries' restrictions on public drinking somewhat mirror the system in New South Wales. For example, Italy has no national laws against public drinking. However, the local municipalities can issue regulations that prohibit public drinking at certain locations. The same is true in France, where public drinking is legal but local laws can ban public drinking or the purchase of alcohol in certain areas or at certain times.

The bill was submitted to inquiry and to report in September 2024. A number of concerns were raised during the inquiry. Stakeholders like the Alcohol and Drug Foundation noted that there is limited evidence about the particulars of the connection between public alcohol restrictions and the consumption of alcohol. Stakeholders said that further research is needed about those connections so that we can understand any potential impacts of changes to regulations. Concerns were also raised about the potential for an increase in harmful or problematic drinking and other associated harms.

I say to stakeholders such as the Foundation for Alcohol Research and Education and the Alcohol and Drug Foundation that, while I recognise their contributions to ensure that our regulations around alcohol reduce harm as much as possible, I do not generally agree with how restrictive their policies are. The horse has well and truly bolted when it comes to alcohol. I believe a heavily restricted regulatory environment is one of the issues. However, we do not want to go completely the other way. Some stakeholders felt that local authorities, like councils, are best placed because they know their local communities well and can understand community preferences. However, the bill would take away local council control over alcohol restrictions and do so very bluntly.

Finally, and most importantly, various submissions to the inquiry expressed concern about the way the bill is drafted. The bill is unusual in that it asserts to override other legislation, which is a significant concern. I have spoken to the Hon. John Ruddick about it. The normal course of action would be to amend existing legislation that governs the consumption of alcohol in public places. The bill fails to properly consider how the new legislation will interact with other key pieces of legislation, including the Roads Act 1993, the Local Government Act 1993 and the Liquor Act 2007. For example, Legal Aid NSW noted that where there is contradictory legislation, it may result in confusion for council rangers, police and any other compliance officers, as well as the general public, leading to unlawful infringement notices and unnecessary litigation. Having said that, the Hon.

John Ruddick's vision is potentially worth supporting to some extent. I would not go so far as to say we want alcohol everywhere with no rules, but the rules can be loosened up a bit.

I do not want to see this Government do whatever pleases the Australian Hotels Association and the alcohol industry without looking at what else is needed around safe communities and a shift in culture with the police. We need late-night trading and public transport. If we are going to liberalise alcohol consumption, making alcohol more available in a culturally respectful and acceptable way that does not encourage binge drinking and yobbish behaviour, then we need to look at everything else that needs to be done alongside that, including making sure that people, particularly women, feel safe in public places and on the streets. That is a big consideration. When we do it, we have to get it right. The Greens are keen to keep having the discussion and we will hopefully get somewhere, but we do not support the bill in its current form.

**The Hon. STEPHEN LAWRENCE (15:09):** I contribute to debate on the Alcohol Consumption in Public Places (Liberalisation) Bill 2024 because I sat on the committee that inquired into the bill. It was a very interesting inquiry. We got the benefit of the views of a large number of stakeholders. I am a little surprised that the Opposition is supporting the bill. If they were in government, they may have a different position because, while I have no doubt the bill is well intentioned and some reforms are certainly appropriate, the effect of the bill would be quite dire. I raised those concerns in the committee inquiry, particularly in respect of regional towns, which have higher rates of social disadvantage than perhaps occur in the city. As a consequence of that, they have higher rates of various other social problems, like problem drinkers.

Members need to squarely confront the question of what the main streets of Dubbo or Broken Hill would look like if the bill was passed. In one sense, I am loath to raise that because I have always been very conscious of the need to deal openly and directly with social problems. It is generally not a good thing to disguise them. Indeed, it is sometimes a good thing if social problems are playing out on the main street because then people see them and they can be dealt with in a proper way. I am also conscious that sometimes concerns about antisocial behaviour in country towns are permeated with aspects of race, which can really be quite unfortunate.

With that preface, members need to squarely confront the question of what the main street of Dubbo would look like if there was absolutely no prohibition or local government could not make "alcohol-free zone" edicts. In my previous role as a councillor in Dubbo, I voted to renew those prohibitions on a pretty regular basis. I am very conscious of the criticism the Hon. John Ruddick raises—that local councils have perhaps gone too far and are applying a rubber stamp when more nuance and detail are needed—but I am still left with that fundamental question of what our main streets in certain places would really look like if there was absolutely no prohibition on drinking alcohol in a public place. I am not necessarily talking about the North Shore or other places that were raised in the committee hearing; I am talking about other places.

Problem drinkers and young people, who might not be problem drinkers but like to drink and are more likely to drink in public for various different reasons, will naturally be drawn to our main streets and other public places. We already see that occurring. But all types of community members, including our elderly community, use those places. To have a much higher rate of drunk people using those public places, I think, endangers vulnerable people. It heightens perceptions of risk, which can have a quite pernicious effect on vulnerable and elderly members of the community, even if no actual risk or danger is present. People will not use our main streets if they believe it is likely that intoxicated people will be there.

It is true that the bill maintains the powers in the Law Enforcement (Powers and Responsibilities) Act to give move-on directions and so forth, but the reality of move-on directions is that they have a strict statutory criterion: They can be used only if a person is seen by a police officer to be disorderly or engaging in behaviour likely to involve property damage or risk of harm. When a power is able to be used only when something that reaches a particular threshold is directly witnessed, it is not going to be efficacious on a broader level in disincentivising behaviour, like intoxication in public, that will almost invariably in a certain degree of cases, lead to antisocial behaviour, violence and so forth. If a power can deal with it only at that very final step, it will not create the wider effect on behaviour that will minimise the problem.

Members have talked about how a large amount of drinking goes on in public. That is certainly true, but to say that the current prohibitions, and the powers they give to councils and police, have no effect whatsoever is simply not true. Police and council rangers often deal with people who are drinking in public, including quite serious problem drinkers, in a sensitive way. Police do not just turn up and lock them up. They talk to people, lead them elsewhere and encourage them not to return. Those less severe types of action can be even more effective than just locking people up. Those things occur and police, council rangers and other people charged with those responsibilities deal with them in a sensitive way.

That means that our main streets look different to how they would look if there was no prohibition at all. I am thoroughly convinced of that. A fundamental problem with the bill is that it might work only in some places.

Members have talked about Europe, but Europe is not Australia. The social circumstances vary across Europe. I have got no doubt that, in some places in Europe where there is no legal prohibition, it is a perfectly civilised state of affairs where people sit and drink in parks and, by and large, there is no problem. That is not how this complete removal of restrictions would play out in parts of New South Wales. I am completely convinced of that.

There are a few other problems with the bill that were highlighted by the committee. Most if not all of the stakeholders who gave evidence to the inquiry oppose the bill in its current form. A very significant concern raised was that the bill merely creates a defence rather than amending the statute book in all the respects it deals with the consumption of alcohol in public. There was a lot of concern from the lawyers that that defence will be uncertain in its application, and that it will be a complicated regulatory exercise to apply that defence by administrative decision-makers and those enforcing the law because they will need to turn their minds to how it interacts with a whole raft of pieces of legislation. I do not say that to be critical because I do not know if a private member can necessarily go to the drafter to ask them to read the entire statute book and come back with a 300-page bill to amend a thousand pieces of legislation. I suspect it does not work that way, and that the only workable way for the member to try to achieve it was a simpler bill that just creates a defence.

However, in my view the bill is not workable. It was certainly the view of the committee that if the bill inflicts this very significant change, it needs to go across the statute book in a very clear and systematic way and amend lots of pieces of legislation. I think the bill is well intentioned. I think it is coming from libertarian impulses that are quite good in lots of ways, but there would be many unintended consequences, which is why I am surprised the Opposition is supporting it. If Opposition members were in government, I am very confident that they would not support it because the change that it would inflict on many of their electorates would cause a lot of community concern that would be reflected at the ballot box at the next election. For those reasons, I oppose the bill.

**The Hon. JEREMY BUCKINGHAM (15:23):** On behalf of the Legalise Cannabis Party, I support the Alcohol Consumption in Public Places (Liberalisation) Bill 2024. As the chair of the inquiry into the bill, I acknowledge that there was a diversity of views. Many people put forward concerns that the bill would have some unintended consequences, but they can be assured that the bill retains the powers of the Law Enforcement (Powers and Responsibilities) Act to prohibit alcohol consumption in places where we do not want to see it, and essentially gives people freedom and liberty with responsibility. I note the contribution of the Hon. Stephen Lawrence, when he said, "What would be the effect of this in Dubbo, Broken Hill and those places?" Just because it would not work in Dubbo and Broken Hill does not mean we should apply a blanket ban across the State.

He also said the effect would be that it would draw people out onto the street. That is exactly what I would love to see. I live in the inner west of Sydney; I have lived in the Central West of New South Wales. After dark, despite our best efforts, apart from the main strips, it is flat as a tack. People are not on the street. There is very little street life in this country. People are not out on the street, having a beer and talking to their neighbours. The assumption in this country is that there is a blanket ban on drinking in public. If someone wants to have a King Brown and walk to the park, they put it in a brown paper bag and think that will do the trick. They think, "Now I'm not in trouble because I'm just carrying it home." If someone wants to walk the dogs to the park with a Hawke's Lager, they know they are breaking the law and potentially facing a fine. Who is enforcing that? It is that insidious, pervasive, ubiquitous and tyrannical force in our society—Australian signage. It is absolutely everywhere.

There is signage for everything: Don't park, don't stop, park here, do this, don't do that, this way, up here, down there. When can we drink at Camperdown Park? We need a law degree to know when we can have a beer. It is in subclause (c) (123). If you go to Camperdown Park, the rule is it is legal until nine o'clock because apparently at nine o'clock we all turn into yobbos and antisocial drunkards. That is not what happens at all. No-one is in Camperdown Park stopping people having a cold glass of wine or a Willie the Boatman lager. It is the signage looming over us, enforcing the rules that people are increasingly ignoring. If they go out to into the regions, to a national park or public space, they say, "There are no signs around. We can sit around, have a campfire and have a cold beer on the beach." They do so responsibly. They learn how to drink responsibly, rather than being funnelled into gigantic beer barns. The Minister let the cat out of the bag in the last paragraph of his contribution. He said, "We're pro venue." We cannot have those venues going to the wall. The Australian Hotels Association and ClubsNSW want us drinking in gigantic beer barns where they promote binge drinking.

**The Hon. John Ruddick:** And gambling.

**The Hon. JEREMY BUCKINGHAM:** And gambling. They are not promoting the responsible drinking of alcohol because vulnerable people, kids and the elderly are not there. It is all younger people, binge drinking. Someone sets the standard of having six, eight or 15 schooners. When people drink in public, in front of their children and community, they learn how to drink responsibly. That is the key thing. If we do not go behind closed doors to drink, away from the public, we learn how to do it properly. In Ko Pha-ngan in Thailand, there are people on the beach and no police up and down the beach, locking people up or telling them to act responsibly. Everyone is lolling around, having a pina colada out of a pineapple. It has a fantastic vibe and it is known for it.

In the Tiergarten in Berlin on a sunny day, having a stein at a bench is absolutely magnificent, learning how to socialise, drink responsibly and do so in a public way. And guess what? There is no signage. There are no big signs or traffic lights like we have in this country, which are an insidious, tyrannical blight on our freedoms. We need to trust that people will do the right thing. Of course, people are problem drinkers, as the Hon. Stephen Lawrence said. If someone is drunk and disorderly, then that is when they face the consequences of their behaviour. If they are threatening to other people, they face the consequences, and there should be appropriate powers to deal with that.

The bill, on balance, is one that we support. Historically, the consumption of alcohol in public places has been heavily regulated with a blanket approach that prohibits its use in most public settings, and most people assume it is illegal. Those prohibitions, while historically understandable in the context of public order and safety, no longer reflect the social norms or responsible consumption patterns of today's society and no longer serve us in changing our terrible drinking culture in this country. Again, if a problem drinker is on the street, at least we know they are a problem drinker. The police can identify them. They are not doing it behind closed doors, and we know what that means in terms of domestic violence and those types of things. The bill aims to achieve a recalibration of those laws to grant adults more personal freedom in their recreational activities while still ensuring that the public safety concerns are effectively managed.

The bill proposes that restrictions and prohibitions on alcohol consumption in public spaces be removed, with two primary exceptions. Those are, first, for public spaces that are of cultural or religious significance and, second, in cases where an individual is intoxicated or disorderly. Those are reasonable exceptions, maintaining a respect for culturally or religiously significant areas and ensuring that public order is preserved. Clause 7 of the bill enshrines the right of individuals to consume alcohol in public spaces, making it clear that such consumption in itself will not be treated as an offence. Clause 8 addresses a common issue many have faced—alcohol confiscation. Under the legislation, alcohol may not be confiscated unless the individual is behaving in a way that warrants police intervention under the Law Enforcement (Powers and Responsibilities) Act. It is also important to note the exceptions contained within clause 9, which ensure that public places of cultural or religious significance remain respected. They can certainly be broadened in the regulations where people decide it is not appropriate at all. Whether it is a war memorial or a place of worship, those areas remain protected under the bill.

Finally, clause 10 ensures that this liberalisation does not allow for public disorder. Law enforcement still retains the ability to address cases of intoxicated, dangerous or disorderly conduct. That strikes a balance, ensuring the rights of individuals to responsibly consume alcohol in public, while safeguarding public safety and maintaining order. Police will be policing the drunk people rather than everyone who is not drunk. That is the simple proposition. We are not policing people who do not need to be policed and who are not a risk to themselves, to property or to others. We focus our attention on the behaviours that are truly a risk to public and personal safety. The bill is not just about alcohol consumption. It is about trust in individuals to act responsibly in public spaces and trust in our enforcement agencies to intervene, when necessary, without unnecessarily restricting personal freedom.

In reality, when people are disorderly or a risk in public, who does the policing? It is not the police; it is the public. The public intervenes. If someone is being dangerous or disorderly or committing a crime, the first responder is always a member of the public. A person intervenes and says, "Hey, stop doing that. Behave. Don't do that. You're out of order. We're calling the police." That is what happens when people are committing a crime. The police are not on the scene all the time. We police ourselves. We set our own standards. That is what other cultures do effectively. That is how we build vibrancy and trust and bring people out onto the street. We trust each other; we look after each other. When something goes wrong, we work to fix it. But we do not assume that everyone will do the wrong thing all the time, everywhere, and that is what our current laws do. That is what the signage says. You cannot walk the dog with a can of beer. You cannot go to the beach or sit in the park and have a cool drink in the afternoon, and that diminishes us all.

There are better models for us to follow, and the honourable member's bill is a step in the right direction. It provides a thoughtful balance between individual freedoms and community safety. It reflects a more mature approach to alcohol consumption, one that trusts people to behave responsibly while maintaining appropriate safeguards where they are necessary. I urge the House to support the passage of the bill, ensuring that the laws of New South Wales evolve with the times while respecting both personal liberties and the integrity of our public spaces. When it comes to our public spaces, we are soon going to have some pseudo-public drinking not far from here during Oktoberfest in The Domain. I look forward to seeing how that plays out because I have been to a couple of Oktoberfests—

**The Hon. Greg Donnelly:** In Bavaria?

**The Hon. JEREMY BUCKINGHAM:** Not in Bavaria, but they were sanctioned and licensed, and they had security and all the rest. They are probably not the best model for how we drink because there could be a few

pavement pizzas and people in the agapanthus after an Oktoberfest event. That is not the model we want to adopt. A much better model would be some people in love having a picnic in The Domain, putting out a rug and sharing some cheese, fruit and a glass of champagne to watch the sunset and toddle off home at the end of the day. Instead, what we are going to have in Australia is an outdoor beer barn with the chugging of steins until people are loose at the knees and going home to a horrendous hangover. That is not the model we want. We want more freedom, more responsibility and more capacity to enjoy public spaces together, trusting each other and getting rid of those signs that ruin our lives.

**The Hon. PETER PRIMROSE (15:31):** I make a brief contribution to the debate on the Alcohol Consumption in Public Places (Liberalisation) Bill 2024. The member who introduced the bill is well intentioned, and the bill contains some good ideas. In no way am I questioning those good ideas. My concern, which was echoed in the Minister's comments, is that the bill is not fully formed yet. More work is required. I will point to some of the things that still need to be addressed, but I certainly do not question the good intentions of the member.

The bill lacks definition around what constitutes the exception of a place of cultural or religious significance, and it fails to provide appropriate protections to meet community expectations in that regard. The bill could even create some dangerous situations. Children's playgrounds and swimming pools are specific public areas where public safety measures are paramount. However, the bill does not identify them as exceptions and therefore allows legal alcohol consumption in those spaces.

I am concerned about how we justify the removal of local councils' powers to regulate the public consumption of alcohol in such places. All children's playgrounds, where we want to create a safe space for young people to get outside and enjoy fresh air rather than be stuck at home indoors on their devices, need that protection. With respect to public swimming facilities, the causal link between alcohol intake and drownings has not been adequately considered in the bill. A sunset wine on a coastal headland with crumbling, unfenced clifftops could, in reality, lead to terrible consequences. Again, that is a concern that needs to be more fully addressed. The Government acknowledges that there are some public places where it is sensible to regulate the consumption of alcohol in order to protect public safety and promote social cohesion.

On the theme of dangerous consequences, there are potential legal complexities arising from the bill. The control of alcohol is managed through a variety of New South Wales Acts and regulations. The bill would override the range of legislation that currently regulates the public consumption of alcohol, and it is likely to have significant impacts upon authorities with roles and responsibilities under that legislation. I am not certain that we have gone deep enough to fully consider those implications.

There are concerns that the application of the Liquor Act 2007 and the Liquor Regulation 2018 would be unduly restricted by the bill. I will cite some of those. The bill undermines existing and future commercial arrangements within leased and licensed premises under part 3 of the Liquor Act. The bill would create confusion as to whether alcohol could legally be taken into and consumed within licensed food and beverage operations that have a tenancy agreement with a public land manager, without appropriate guidance around site, venue and behaviour management. The bill may affect section 114K of the Liquor Act by allowing same-day liquor deliveries into alcohol-free zones and alcohol prohibited areas.

With respect to section 116 of the Liquor Act, there is a potential impact on the Minister for Gaming and Racing declaring a restricted alcohol area to prevent the sale, supply, possession or consumption of liquor on any premises if it is in the public interest and has majority support from the community affected by the declaration. The bill could affect division 1 of part 7 of the Liquor Act and create potential unintended consequences for minors by providing more places where they could legally consume alcohol. Finally, with respect to clause 99 of the Liquor Regulation 2019, there is potential impact for premises in a prescribed precinct where the licensee or staff member must not allow entry if a person has been observed to consume alcohol in alcohol-free zones and alcohol prohibited areas. Accordingly, with just those brief comments, although the bill is well intentioned and there is eminent scope to allow for discussion of it to continue, I do not support it on the basis that it is not yet fully formed and there are potentially measures that have not been considered and unintended consequences that will not benefit the community.

**The Hon. GREG DONNELLY (15:37):** I make a small contribution to the debate on the Alcohol Consumption in Public Places (Liberalisation) Bill 2024. I was going to raise a number of points, but they have been well covered by preceding Government contributors, so I do not intend to repeat them. But I echo the comments and sentiments of the Hon. Peter Primrose about the member's work in putting the bill together. He takes his role as a member of the House very seriously and brings forward and prosecutes arguments in a most sincere way to advance matters that, to his mind, are valuable in enhancing the general welfare, wellbeing and lifestyle we enjoy in our liberal democracy. I clearly understand that, and I take it as a given.

A debate on alcohol consumption in Australia could last for many days, and some points have been covered in contributions by various members. Debate on what is, in effect, a liberalisation of the regulations and structures that society—and we are looking specifically at the context of New South Wales—has sought and continues to seek to provide a framework around alcohol consumption is longstanding. Whenever it has been raised in this Parliament and in parliaments all around this country, going back to when we were colonies, the issue has always attracted a lot of discussion and debate, and for very good reason.

As humans, we know consuming alcohol is enjoyable. That has been the case forever. It is wonderful to have a few drinks or a couple of drinks. Some people choose not to drink, and that is a decision individuals make. At the other extreme is the matter of alcoholism and its wretched effects. As members of society, we want to enjoy the liberty to make decisions about all aspects of our lives, and consuming alcohol is one example. However, legislatures and legislators have, over the centuries, realised that alcohol is extraordinarily significant in terms of its impact on individuals, their families, their family responsibilities, their local community and the public at large. That is why for a long time attempts have been made to create a framework around the way we consider alcohol consumption in our current culture.

This is not the time for a long debate about Australians' attitude towards drinking. Some members, including the Hon. Jeremy Buckingham, have made comments about that—some of which I agree with and some of which I do not. I have my own experiences as someone who is a bit over 60 years of age and who has been around drinking one way or another for some time—perhaps as a participant or perhaps as an observer, whatever the case may be. We have all had experience, whether as a consumer of alcohol or as an observer, of the way drinking impacts us, our family, our extended family, our mob, and the broader community and society at large. We all have the capacity as adults and politicians to exercise serious thinking on what we should do about the regulation of alcohol consumption. That is the subject of the bill.

I am often drawn to reflect on the well-cited quotes of Donald Rumsfeld, the former United States Secretary of Defense. In a media briefing in February 2022, he spoke about the known knowns, the known unknowns and the unknown unknowns. Some people said, "Listen, what's this all about?" He went on to make a contribution on his assessment of what those notions mean. As a legislator, when I am asked to participate or invited to participate—or, in fact, decide to just jump in and participate—I have often thought about things through the framework of the known knowns. If we are able to do so, we can say, "Listen, this is in our face and we can see this. We can comprehend it. We can make some judgement. We can talk to others and make some considered assessment."

The known unknowns are at another level. It is the same thing, but to a degree we are searching, looking, probing to find out what the known unknowns are. Once we have discovered what they might be, we try to assess our view. The real challenges are the unknown unknowns. I do not say that from a point of opposition to explain why the Government does not support the bill in its current form. I am not running a scare campaign, saying, "Listen, there are all these unknown unknowns." I am not trying to beat that up and then come to the conclusion that, accordingly, the bill cannot be supported. I am not saying that. However, there are unknown unknowns.

At a cultural level, the bill concerns me. I have family members. My sister has grown-up children and my children are now adults. As they were going through their late teens and into early adulthood, I observed the things they discussed at home with me and my wife. We talked about alcohol consumption, and they brought forward the thinking that young people had about that. Parenting is always a challenge and one should be very careful about making a generalised statement. However, I recall various discussions about going out. I know some members are particularly interested in the night-time economy and all the rest of it. I observed various examples firsthand. In fact, it was not my children and nephews and niece, but the friends they associated with and would go out with. I observed the way they primed themselves with alcohol before they went out, and I thought it was quite tragic.

I asked them, "Why do you do this?" When I was young, people would go down to the pub and play pool after work on a Friday night. People would have a few schooners before they went to a nightclub or whatever. It would never enter our minds to go to the local BWS or Dan Murphys and really charge up with vodkas and mixers, and all the rest of it. Now the young ones go out to clubs from around 9.30 p.m. or 10.00 p.m., or even later. They do not want to pay high prices for alcohol at the clubs, so obviously young people with limited resources would choose to do that. There is an economic imperative driving it, but that behaviour concerns me. In some sense, it is indicative of the cultural attitude Australians have towards alcohol.

Alcohol is part of our culture, and has been for a long time. Volumes and PhDs have been written about that. I do not dare say that I am an expert, but we know about the power and attraction and also the cultural essence of alcohol consumption, which is part of being an "Aussie". That has changed a bit over the years. There are not as many VB ads on television as when I was young. VB does not get much of a run these days; it has become almost like a boutique beer. People have to look hard to get a longneck of VB; it is not easy. I do not know whether



my local BWS sells it. What I say is partly tongue-in-cheek, but what I am saying is that things change. If we create a greater opportunity, or access to a means, for a more liberal consumption of alcohol, my default position is to be cautious about that. That is not a Government position; it is a personal position that feeds into the cautious and considered position that the Government takes. This is not a wowsy Government. This is a Labor Government, for heaven's sake! Give us a break, if members know what I mean.

**The Hon. Wes Fang:** Compare the pair, as they say.

**The Hon. GREG DONNELLY:** I think this Minister is being considered and thorough in the way he is looking at the issue of the night-time economy and related matters. It is all being looked at very carefully and systematically. No-one can say that the Minister comes in and has a flash of an idea and rolls it out.

**The Hon. Wes Fang:** Oh, he has no ideas.

**The Hon. GREG DONNELLY:** No, we are very considered. That is why the Government response is that people should have an opportunity to drink and there should be minimal limitations around that. The fact of the matter is that we are not atoms bouncing around. We are not individual human beings. By nature, we are social creatures. We are social in the context of our family relationships with our children, spouses, boyfriends and girlfriends. We are obviously social at work—it is intrinsic to us. We are social even in broader relationships with people we know and also the people we do not know. With respect to the Hon. Jeremy Buckingham, he has seen cases of self-regulation and people regulating others who might be getting a little out of hand—that does happen. I have been in circumstances where someone will say, "Listen, mate. You'd better pull your head in. You're getting a little bit rowdy." But I have been out on occasions where there was not a lot of self-regulating going on.

People sometimes go a bit too far when they get quite drunk. We can pick the calibration of how much alcohol that might be, but getting quite intoxicated can affect particular individuals. There are a lot of happy drunks around. I have known a number of happy drunks throughout my life, and that is fine. They tend to curl up and nod off, or get under the table and nod off. It does not matter because they are not the ones we are worried about. It is the individuals who may not fully comprehend how difficult they can be to deal with. At an extreme level, these people can even be quite dangerous if they get too intoxicated. We have to lay all these things out on the table as we look at why the Government is taking this approach in response to the honourable member's bill.

I will focus now on the how police resources for enforcement, and more broadly State resources, will sit if this bill passes in its current form. To my earlier point about the "unknown unknowns", this could be an unintended consequence. We have to look at this with our eyes wide open. If the bill passed unamended, it would result in the NSW Police Force having the sole responsibility for alcohol confiscation. Council rangers are currently authorised to confiscate alcohol within alcohol-free zones under the Local Government Act 1993. As it currently stands, passing the bill would result in the removal or reduction of the powers of council rangers to respond to instances of intoxicated and disorderly conduct. This is clearly an intended consequence of the bill, but there are issues, matters and consequences that we cannot foreshadow.

All of us understand the Australian propensity to enjoy a drink. Some people, and perhaps more people than society would like, do not have personal control around alcohol consumption. What would be the consequence if these powers were taken away? It would fall to the police to deal with the confiscation of alcohol. This is a relatively straightforward thing if people hand it over, but sometimes people are quite committed to finishing their longneck of VB and it will not be that easy. Some people do not want to hand over their longneck because they think they really need to finish it, and at that point they may only engage with police to hand over the empty bottle. There is a flow-on effect with committing police resources. We know that police are under the pump presently, and we know where police resources are currently deployed.

This is not a zero-sum game. We can reasonably anticipate that, by virtue of this proposition, police resources would have to be deployed from time to time, particularly during the hotter seasons of the year, to do work that was previously done by rangers. This means that those policemen and policewomen would not be doing other work simply because people cannot stretch beyond where they are. There is a limit. I have the highest regard for our policemen and policewomen, who are already arguably stretched beyond the limit at this time. To effectively manage public safety and health risks, we would need a greater number of police officers patrolling our parks, streets and other public places. There would have to be an operational deployment through the area commands to deal with this, particularly over the warmer months of the year. That is what would have to happen.

As I said before, this is a further demand on the resources that we have. It is my personal view that there are other matters that are more deserving of the attention of our fine men and women in blue, and I would prefer to see our resources deployed to them for the common good of society. Those things are above having to deal with this other matter, which is lower down the pecking order of offences. This will now fall to them because of the effect of the bill on the rangers. The key issue that comes to mind is the tragedy and dark stain on our society

of domestic violence, which I find almost impossible to believe but it is true. If the police are down in parks emptying bottles, they cannot be in their patrol cars going to a domestic violence incident.

The police would find themselves stuck in an invidious situation between a rock and a hard place. This is a very difficult position because they do not want to find themselves torn between two matters and having to make a judgement call. Worst of all, they would be over-required due to the need for them to be out during particular times of celebration, and they would find themselves very thin on the ground, in stations and in patrol cars trying to deal with more serious offences. Those same resource constraints and higher powers could create a situation where heavy-handed action in the name of public safety is more likely.

If police resources are stretched, then there may need to be judgements made about what else might have to be done to deal with drinking. Other members may want to elaborate on this during the debate. I note that the NSW Police Force does not support the removal of public alcohol restrictions, and this was articulated during the inquiry into the bill. Given the potential harms of unmanaged consumption in public places, as outlined in both the committee inquiry and during this debate, it is even more important that we have the ability to properly manage and mitigate risks. My respectful submission to the House is that this bill does not do that, notwithstanding the considered work done to put the bill together.

The Minister for Music and the Night-time Economy is doing an outstanding job with the Government's vibrancy agenda, which is pro venue and pro entertainment, not just pro alcohol. May I say it is also pro a good time. We were going to have the Hon. John Graham commissioned as the "Minister for a Good Time", but the Government would not sign off on it. He has been very dedicated and serious in advancing the agenda since we have come to government. I appreciate the work done by the Hon. John Ruddick. There are always ways and means to improve the current situation, but this bill takes it a bit too far.

**The Hon. JOHN RUDDICK (15:57):** In reply: I thank all contributors for their thoughtful comments and for the positive tone in which they were given. I especially thank the Hon. Chris Rath and the Hon. Scott Farlow from the Opposition. It is good to see the Liberal Party rediscovering its liberal approach. I hope to be re-elected in a few years, but if that is not the case then I hope I can leave here and say that I helped the good old Liberal Party become more liberal. The O'Farrell Government had an authoritarian streak, and the Berejiklian Government will live in infamy for its authoritarianism. The Baird Government was okay. I am very pleased to see those members supporting this bill.

I thank the Minister, the Hon. John Graham, for his positive remarks and tone. He said that this was a complex issue, and others have also said this. I do not think it is that complex. The trials in Europe and North America all seem to be quite positive to me. They are all without incident. The Hon. Scott Farlow made a good point about the Minister's stating that he wants to protect venues, clubs and pubs. This is called crony capitalism. The Government should not be in the business of restricting peoples' freedoms to support certain businesses.

Effectively, the Minister is saying that the Government wants to shovel people into pubs and clubs, where they will drink more. They will be around other people who are drinking, and there is a pokies room. I can imagine that on a weekend over the coming summer an old friend might ring me to say, "John, do you want to catch up? " If this bill passes—and hopefully it will today—I could say, "Let's buy a sixpack and sit down by the harbour." We could have three stubbies each, sit in the sun and fresh air and it would be a much healthier option. Once we had finished the sixpack, that would be it. But the Minister wants to force us to go to the pub.

I understand that after a couple of beers sometimes there is a temptation to keep drinking. That has not been my experience in life, but I have seen it with others. The Minister has openly said, "This is about supporting clubs and venues. We don't want you drinking in the fresh air." As the Hon. Scott Farlow said, the Libertarian Party is pro citizen. Libertarians are often accused of being excessively pro capitalism and pro business. We are just pro freedom, and we do not like crony capitalism one little bit. We do not like laws that force people to use certain types of businesses. The Minister has a reputation for being pro vibrancy and he is doing good things on the vibrancy front. But for all the running around that he and the bureaucrats are doing to promote vibrancy, it would be dwarfed by the vibrancy that would break out across New South Wales if the Government supported this bill. I take some consolation from the fact that it sounds as though the Government is not eternally opposed to this bill and that we could work together. But today the Government is going to oppose the bill, so I think we can say that the Labor Party is the fun police.

My good friend the Hon. Stephen Lawrence spoke against the bill. He has experienced living in Dubbo in western New South Wales. I have lived in remote areas of western New South Wales, and I know exactly the social concerns that he is talking about. Those social problems are already happening under existing laws, so it is a fake argument. Those areas are very isolated and the problems are very bad. I have seen them up-front. I lived among those bad social conditions for a few years. But we are talking about really small parts of New South Wales. There are 8.5 million people in this State. Are we are going to punish everybody, deprive them of fun,

because of social problems that will not be created if this bill is passed? They are existing problems and have existed for decades. Absolutely, we want to address those social problems, but this bill has nothing to do with them. That argument against the bill did not make any sense.

I thank the Hon. Greg Donnelly for his lengthy address. I also thank the Hon. Peter Primrose, who has had experience in local government. One of his major concerns was that the bill seeks to override the discretion of the local council. That is true. That is what this bill will do. Libertarians will almost always be on the side of the government that is closer to the people, so we would normally be on the side of local councils. But for decades local councils have deprived citizens of freedom over this issue. So, yes, on this occasion, the Libertarians do want to use the power of the State Government to stand up for the freedom of citizens over the local councils.

I very much enjoyed Ms Cate Faehrmann's address on behalf of The Greens—80 per cent of it sounded as though she was in support of the bill. Of all the anecdotes told today, I found her anecdote about Italy to be the most compelling of all. I thank The Greens for saying that they are not opposed to this idea down the track and that we could work together. Very occasionally, the Libertarians and The Greens do collaborate—or at least vote together. I am hoping that in the future we can collaborate on this and make it better. The Hon. Jeremy Buckingham was magnificent. I thank him, as the chair of Portfolio Committee No. 1, for taking on this inquiry. I believe that cannabis will be legalised in this State by the end of this decade. I think it will be the Libertarian Party that brings that about because we really want it to happen. But the question is: What will happen to the Hon. Jeremy Buckingham then? He represents a single-issue party. If cannabis is legalised, what does he do then?

**The Hon. Penny Sharpe:** They have another four years.

**The Hon. JOHN RUDDICK:** They may seek to legalise magic mushrooms or something. No, I think we are working on him. He has some socialist tendencies, but he is becoming wiser with time and his speech today sounded very much like that of a Libertarian. To wrap up, this bill comes down to one question: How do we perceive the role of government? Is it something that plays a limited, small role in our lives, and that, for the most part, has no business interfering in them? The Libertarians believe that the Government should be like a nightwatchman who plays a limited role. If we have a massive increase in freedom, a lot more things will happen, for good and for bad. But 80 per cent of those things—the vast majority of that extra human activity—will be positive. There will be more creativity, more ingenuity and more inventions. That is what will happen. The fun police say, "If there is all that freedom, some bad things will happen." They are right; there will be an increase in bad things, but it will be far outweighed by the increase in very good things happening.

Do we want to have a nightwatchman-style government? Do we want to give the people more freedom and have a more creative and happier society? Or do we continue down this path of a Big Brother government? I hope that members will vote in favour of this bill. If they do not, the Libertarian Party will consult further and the bill shall return.

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

**The House divided.**

Ayes .....18  
Noes .....21  
Majority.....3

#### AYES

Barrett	Hurst	Mihailuk
Buckingham	Latham	Mitchell
Carter	MacDonald	Munro
Fang	Maclaren-Jones	Rath (teller)
Farlow	Martin	Ruddick (teller)
Farraway	Merton	Ward

#### NOES

Banasiak	Faehrmann	Moriarty
Borsak	Graham	Murphy (teller)
Boyd	Higginson	Nanva (teller)
Buttigieg	Houssos	Primrose
Cohn	Jackson	Roberts
D'Adam	Lawrence	Sharpe
Donnelly	Mookhey	Suvaal

## PAIRS

Tudehope

Kaine

**Motion negatived.***Motions***KANGAROO EXPORT INDUSTRY****The Hon. SCOTT BARRETT (16:13):** I move:

- (1) That this House acknowledges that:
  - (a) changes to Australian landscapes following European settlement have generally favoured kangaroo populations, where people have removed predators, created permanent water sources, and altered vegetation, and these changes, and the natural boom-and-bust cycle of kangaroo populations, can lead to kangaroo populations exceeding sustainable levels in some locations;
  - (b) overabundant kangaroos can negatively affect plant regeneration, habitat structure and ecosystem processes, impacting smaller native animals, and also compete with agricultural industries; where thousands of kangaroos are hit by vehicles every year and 10 thousands die from thirst and starvation during drought;
  - (c) while harvesting these iconic animals can be confronting, it plays a critical role in kangaroo management in New South Wales, and commercial harvesting supports a multimillion-dollar industry, as well as reducing the impacts that large kangaroo populations have on the environment, agriculture, and on the health and welfare of individual kangaroos and kangaroo populations; and
  - (d) a regulated and evidence-based approach to commercial harvesting provides a population management option that is humane, sustainable and also lessens the need for land managers to use control methods with poorer welfare outcomes.
- (2) That this House notes:
  - (a) the introduction into the United States Senate of the misleadingly named Kangaroo Protection Bill 2024; and
  - (b) that this bill would, if enacted, have negative environmental, economic and kangaroo welfare outcomes in New South Wales.
- (3) That this House calls on the Government to:
  - (a) condemn the Kangaroo Protection Bill 2024 currently before the United States Senate;
  - (b) take steps to formally encourage the United States Senate Committee on Environment and Public Works to reject the bill; and
  - (c) ask the Federal Government to also condemn the bill and encourage opposition by United States legislators.

I begin this debate acknowledging that the harvesting of kangaroos can be an uncomfortable topic. It is not an activity I partake in, despite being a licensed shooter, but I understand it is a necessity for the environment, for our economy and for safety on our roads. I say up-front that when I talk about kangaroos from now on—others may wish to do the same—I refer only to the four species that come under the Commercial Kangaroo Harvest Management Plan: the eastern grey, the western grey, the red and the wallaroo.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Members will keep the noise level down.

**The Hon. SCOTT BARRETT:** The motion raises a few points, all backed up by government literature, lived experience, ecologists and researchers, Indigenous and other community and industry leaders and, most importantly, practical reality. Since European settlement, we have made a more kangaroo-friendly environment through much of regional New South Wales, with increased water points, better and more reliable food sources and the removal of predators. In good times we see huge numbers, with endless mobs of kangaroos moving through and damaging the landscape. Then we see the horrific toll taken by droughts. That is one of the reasons we need a holistic, outcomes-based approach to management and welfare.

When it comes to welfare, I will not go into too much detail, but the comparisons are stark between an animal being instantly killed with a shot to the head from a high-calibre rifle versus a prolonged and agonising death from months of starvation and dehydration, which is the fate of probably millions of kangaroos every time we have a drought. I have seen kangaroos that are too weak to move away from a threat, let alone search for miles for feed and water. There will be more of that without population management. The motion notes the threat of a United States Senate bill very inappropriately entitled the Kangaroo Protection Bill, which aims to ban the importation of kangaroo products into the United States. It would include things like soccer boots, and the boots and belts worn by many of us in this place.

Yet even if the bill is passed, it will do nothing to remove the need to manage kangaroo numbers in New South Wales. What it would do is put at risk a heavily regulated and controlled kangaroo management system that has the principles of conservation and animal welfare at the top of its objectives. Commercial harvesting has been regulated in New South Wales since 1975 and, according to government fact sheets:

Harvesting provides a population management option that is humane, sustainable and does not waste meat or skins. The sustainable harvesting of kangaroos for their meat and leather is the basis of a multi-million dollar Australia-wide commercial industry.

Another point to note is this industry is not leading to a decrease in kangaroo numbers. Yes, populations fluctuate with a boom-and-bust cycle and harvesting flattens that curve, but government fact sheets state:

During the 45 years of regulating the commercial harvest of kangaroos in New South Wales, there has been no overall decline in kangaroo abundance in areas where kangaroos are harvested.

That is because quotas are set based on a percentage of the population—15 or 17 per cent, depending on the species—but the take is far less than that. Last year we took only 27.5 per cent of the allowable take, and 2019 was the highest in recent years with just 32 per cent of the quota. That is still a long way below quota limits that have been scientifically set not to impact overall numbers. They can be, and are, reduced to suit seasonal conditions.

The United States is one of just 60 countries, including Belgium, Germany and the Netherlands, that New South Wales exports kangaroo meat products to. There are also our kangaroo products, such as the belts and the boots, that would be excluded by the bill. Then there is the unhelpful demonisation of this sustainable and economically and environmentally important industry. When similar moves were considered in the United States a couple of years ago, one Australian National University [ANU] researcher, Honorary Professor George Wilson, described them as "one of the most comprehensive own goals in the history of improving kangaroo welfare". There are no real winners from the United States bill, so it seems a sensible move for this Parliament and this Government to take steps to protect the industry and to support our agricultural sector and our regional communities, as well as the sustainability and welfare of our kangaroo populations.

**The Hon. EMMA HURST (16:19):** Lawmakers around the world are looking to outlaw the importation of kangaroo meat and skin, and it is easy to understand why. Joeys are being bashed to death in the kangaroo-killing industry. It is not a crime; in fact, it is the code of practice. That is why Nike and Puma have agreed to stop using kangaroo skins. Versace, Prada, Chanel, H&M and Paul Smith have all agreed not to use kangaroo skin. It is no different to the bludgeoning of baby harp seals in Canada. If you are going to wear kangaroo skins on your soccer shoes, you may as well wear a baby harp seal jacket to go with them.

On Monday of this week, Dennis Visk from Kangaroos Alive presented to Italian MPs the global kangaroo declaration signed by over 80 concerned international scientists, academics, philosophers, ethicists, animal welfare and protection organisations and wildlife experts, who unequivocally declare that the commercial kangaroo industry is perpetuating levels of animal cruelty that are entirely unacceptable. They demand immediate and decisive action at both national and global levels to immediately adopt a moratorium on the commercial killing of kangaroos and to cease the commercial trade of kangaroo body parts. That is being presented to MPs around the world, so the National Party's efforts to keep this cruelty going is way too late. Also, soon there will be a delegation of Indigenous Elders addressing the European and member countries' parliaments.

The cruelty of the industry is no longer a secret in Australia, and the world is becoming aware of exactly what is happening. I thank United States lawmakers for standing up for what is right. I particularly thank Senator Cory Booker, Senator Tammy Duckworth, Congressman Brian Fitzpatrick and Congresswoman Jan Schakowsky for their protection of these native animals. I met with many of them recently, and I congratulate them on their efforts. We have no right as a Parliament to insist that they buy into this cruelty. They are entirely within their rights to look at this industry and say that they want nothing to do with it, do not want to support it and do not want to buy its products. The United States does not massacre its own native animals at all. Why would it want to support the largest land-based massacre of native animals in the world?

The aptly named Kangaroo Protection Bill has many co-sponsors, including Republicans and Democrats. The bipartisan bill supports not only kangaroos but also the will of Australians. A recent survey by Kangaroos Alive shows that Australians overwhelmingly do not support this cruelty and want to see countries overseas ban the importation of kangaroo body parts. Shame on The Nationals for calling on the Government to support brutality of animals. Shame on The Nationals for wanting to drive yet another native animal to extinction. Shame on them for tarnishing the name of Australia by supporting joeys having their heads bashed in and speaking out against politicians in the United States for acting with compassion. [*Time expired.*]

**Ms ABIGAIL BOYD (16:22):** As the animal welfare spokesperson on behalf of The Greens, I oppose the motion. It is a confused and self-contradictory motion far removed from the proven reality. The motion is telling us that the post-colonial landscape is some kind of kangaroo utopia where man-made fields, dams and introduced plant species have created such idyllic conditions for a certain species that they are reproducing beyond

their natural bounds, and yet, in the very same breath, the motion is bemoaning the impact of kangaroos on ecosystems, habitats and biodiversity, resulting in situations of drought and famine.

The only accurate part of the motion is where it identifies the agriculture industry's harmful impact on kangaroo populations. The simple fact is that postcolonial land uses and the displacement of First Nations peoples and knowledges have seen the destruction of sacred land and altered landscapes and ecosystems, straining and fracturing First Nations peoples' sacred and profound ancestral relationships to country. That continues to this day, with kangaroos being victims of the largest legalised commercial wildlife slaughter in the world—a trade that has had devastating impacts on the living ancestral relationships between many First Nations peoples and kangaroos.

Across the world, communities, politicians, businesses and consumers are increasingly joining the fight to end this inhumane and unnecessary industry that inflicts unimaginable cruelty and suffering on millions of kangaroos and their joeys each year. The Kangaroo Protection Act of 2024, introduced in the United States [US] Senate by Democrat Senator Tammy Duckworth last month, is a testament to tireless, years-long campaigning of countless animal welfare activists and scientific experts. The bill was introduced for the purpose of protecting kangaroos from this unwanted trade, and for the member to suggest otherwise is simply absurd. To quote Senator Duckworth directly, she said:

We must take action to conserve the kangaroo species and end their inhumane exploitation. This legislation will ensure that no one in the United States can distribute kangaroo products for commercial benefits.

It is a notable bill, but it is not the first time a Parliament has considered such a proposal. Bills to ban kangaroo products have been brought before US states of Oregon and Connecticut in recent years, and in the 1970s California became the first US state to enact a ban. Across the United States and the European Union [EU], numerous inquiries have considered such bans, and petitions with tens of thousands of signatures have been debated. The reality is that the EU and the US, both major players in the commercial kangaroo trade, are getting on track to ban kangaroo imports, which will undoubtedly force Australia to shut the industry down entirely.

New South Wales has permitted the commercial slaughter of kangaroos for over 45 years with little regulation. Ecological experts are warning that kangaroo numbers in New South Wales have drastically declined since pre-colonisation, with mobs fragmented and some even depleted to extinction. It is time for the New South Wales Government to listen to the experts, the evidence and communities, and take immediate and decisive action to end the commercial slaughter of kangaroos in New South Wales.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:25):** I move:

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

(3) That this House calls on the Government to:

- (a) note the Kangaroo Protection Bill 2024 currently before the United States Senate will negatively impact New South Wales's export industry;
- (b) ask the Federal Government to take steps to formally encourage the United States Senate Committee on Environment and Public Works to reject the bill; and
- (c) promote and advocate for the export industry, noting that it is highly regulated and a sustainable industry.

I know that some members of The Greens—not all—and, obviously, the Animal Justice Party have very strong views in relation to the commercial kangaroo industry. I am quite aware of that because I was part of the inquiry into kangaroo health and wellbeing under the previous Government. But I want to be clear: The Government supports a commercial kangaroo industry. We support a strongly regulated industry and we support it for a number of reasons, not just because of the jobs it supports in regional New South Wales but also because kangaroo meat—and the export of it—is far more sustainable than that of the hard-hoofed animals that we have across the State. We have an opportunity to deal with that.

The Department of Climate Change, Energy, the Environment and Water [DCCEEW] manages and regulates commercial harvesting of the eastern grey kangaroo, the western grey kangaroo, the red kangaroo and the common wallaroo. It is the case that they are not endangered. They are native animals. Their populations are counted regularly and quotas are put in place. Harvesting occurs under the national code for humane shooting. I accept that some people do not believe that that is humane, but that is not the Government's view.

To manage the harvesting, DCCEEW monitors kangaroo populations and establishes harvesting quotas. Kangaroo populations in the zones are surveyed annually and populations in tableland zones are surveyed every three years. The surveys use precise and robust scientific methods. I note that there is disagreement about whether that is correct or not. How we count all animals has been an issue in this House. The Government does take the issue seriously. We believe that the commercial kangaroo industry is an important export industry. As Minister

for the Environment, I believe it is a more sustainable export industry and we need to manage it carefully. We need to do that within very strong animal welfare bounds, and that is what we are doing. We have moved an amendment. I understand the Hon. Scott Barrett is likely to support that and we welcome that. There is always more work to do when it comes to animal welfare. We will continue to do that work, but we want this important industry and hope for it to continue.

**The Hon. WES FANG (16:28):** I lend my support to the motion of my friend and colleague the Hon. Scott Barrett. The motion is very supportable. I note the comments of the Minister. The suggestion in some contributions to the debate that there is an element of endangerment to kangaroos in regional New South Wales perhaps demonstrates a little bit of a disconnect from reality. That is certainly not the case. Any person who spends any decent amount of time in rural or regional New South Wales can attest that kangaroos are plentiful.

There is perhaps a reduction in times of drought but, as contributors have noted, at that time it can be more humane to practice commercial culling than to allow those animals to starve. The reduction obviously helps keep the ones that remain in food and water by them not having to spread limited resources among many. The Hon. Rod Roberts indicated in a previous debate that he had recently travelled around regional New South Wales and to Wagga. He would have seen the vast number of kangaroo carcasses along the Hume Highway, which indicates that they are very plentiful, particularly around roads. Controlling kangaroo numbers is important for the safety of not only other animals but also drivers, and it is something we need to consider.

In relation to contributions made at the United States Senate, when a member travels to the United States and portrays Australia as being cruel to kangaroos and suggests they are endangered and that commercial harvesting processes are inhumane and perhaps leading to the extinction of the kangaroo, it causes harm to the reputation of Australia. Whilst the member may believe it, it is potentially disingenuous. I think both the Minister and I are on a unity ticket when we say that kangaroos are nowhere near being endangered. To suggest that is causing more damage to our reputation than it otherwise might.

**The Hon. SARAH MITCHELL (16:31):** I make a brief contribution in support of the motion and thank the Hon. Scott Barrett for bringing it to the House. I acknowledge that it is a policy area that he is passionate about and has become very educated on in terms of what is happening in the United States and the potential impact that it may have in Australia. A lot of the arguments have already been covered, particularly in relation to the fact that anyone who thinks that kangaroos are anywhere near extinct does not spend much time in regional areas. We know that they are very often dead on the side of the road, as the Hon. Wes Fang spoke about in his contribution. You see them when you are driving. Where I live in Gunnedah is on the edge of town and we often have kangaroos up our driveway. There are so many of them. It is important that we have humane harvesting programs, which we do. As the Hon. Scott Barrett and others have said, if there is not a regulated industry with humane treatment and sustainable population management, there could be perverse outcomes for kangaroos but also for the environment.

The industry for kangaroo products in Australia is very sophisticated. It employs thousands of people and brings hundreds of millions of dollars into the economy. I appreciate that we are in a State Parliament, but when we see overseas jurisdictions considering legislation that could potentially have a negative impact here, it is important that we speak up and say something about it. For those reasons I acknowledge the member's contribution and thank him for bringing the motion to the House. I will support it. It is a good debate to be having and one that is relevant because we need to make sure that we are keeping our eye on what is happening on an international level that might impact our own communities.

**The Hon. SCOTT BARRETT (16:33):** In reply: I thank members for their contribution and once again acknowledge that this is a very emotive issue. I was expecting, and was not disappointed, by the passion of The Greens and the Animal Justice Party. However, I do not want anyone to take this motion as a suggestion that I somehow take pleasure in the killing of kangaroos or that we want to see kangaroos killed. I am sure the Minister feels the same.

I grew up with pet kangaroos, and animal welfare is a big part of living in regional New South Wales. We grow up on farms and we raise animals. We care about them. But there is a practical reality around kangaroos in regional New South Wales. Their numbers are excessive. They are overabundant. For every scientist that says they are a problem, I can find you one or two that say the exact opposite. I was on the phone to Garry Trindall this morning, a Gomeroi Elder, who was at pains to make sure that I express the importance and the necessity of the industry to him, his area and his people. He was actually cooking a kangaroo curry when he was telling me about the opportunity that this industry brings to the kids in his area and the people of his community.

It is very misleading to suggest that Australians are against this industry. The people that I talk to and the people I associate with are not lunatic rednecks. They are rational people that understand the importance of this industry to protect the agriculture that we rely on to feed and clothe ourselves and others throughout the world,

and they also understand the damage that having too many kangaroos does to the environment. The bulk of the people that I know do not enjoy killing kangaroos, but they see the necessity of the industry, particularly at the moment in areas where numbers are booming.

I asked Garry how the numbers were where he lives. He reckons that as he drives around now, where he used to see 20 kangaroos, he sees 120. That is what happens. In good seasons, like the one at the moment—four good years in a row—the kangaroo population explodes and we see them en masse. On the other hand, when times are dry, the numbers plummet. I have very distinct images in my head of kangaroos dying not from trauma or accident but after months and months of being without adequate food or water. The best description I have heard of a starving kangaroo is that it looks like a coat hanger with a towel hanging over it. It is cruel to let those populations expand to the numbers that they did. If farmers let their sheep and cattle die in such numbers, they would end up in jail. I think it makes sense that we do something about it. I thank all members for their contributions.

**The PRESIDENT:** The Hon. Scott Barrett has moved a motion, to which the Hon. Penny Sharpe has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**The House divided.**

Ayes .....30

Noes .....6

Majority.....24

#### AYES

Banasiak  
Barrett  
Borsak  
Buttigieg  
Carter  
D'Adam  
Donnelly  
Fang  
Farlow  
Farraway

Graham  
Houssos  
Jackson  
Latham  
Lawrence  
MacDonald  
Maclaren-Jones  
Merton  
Mitchell  
Mookhey

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

#### NOES

Boyd  
Buckingham

Cohn (teller)  
Faehrmann

Higginson  
Hurst (teller)

**Motion as amended agreed to.**

#### *Documents*

### LAND AND WATER CONTAMINATION

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

**Ms CATE FAEHRMANN (16:45):** I seek leave to amend private members' business item No. 1496 by:

- (1) Omitting "28 days" and inserting instead "35 days".
- (2) Inserting "the Department of Climate Change, Energy, the Environment and Water, the Department of Planning, Housing and Infrastructure" after "Ministry of Health".
- (3) In paragraphs (a) and (b) omitting "1 January 2020" and inserting instead "1 January 2022".
- (4) Inserting in paragraph (a) "the geographic regions of Greater Sydney, the Hunter, Western Sydney/Blue Mountains and the upper Belubula River catchment and tributaries and associated with" after "GenX chemicals".
- (5) Omitting paragraph (a) (v) and inserting instead:
  - (v) wildlife and livestock; and
  - (vi) soil.
- (6) Inserting at the end of paragraph (c) "in the two geographic regions of Far West and Central West".



- (7) Inserting at the end of paragraph (d) "in the two geographic regions of Far West and Central West".

**Leave granted.**

**Ms CATE FAEHRMANN:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 35 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast, the Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast, the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Premier, the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement and Minister for Natural Resources, the Minister for Planning and Public Spaces, the Department of Primary Industries and Regional Development (Resources Regulator), Sydney Water Corporation, Water NSW, Hunter Water Corporation, Ministry of Health, the Department of Climate Change, Energy, the Environment and Water, the Department of Planning, Housing and Infrastructure or the Environment Protection Authority relating to PFAS in New South Wales:

- (a) all documents created since 1 January 2022 relating to all types of PFAS, including PFOA, PFOS, PFHxS, PFBS and GenX chemicals, in the geographic regions of Greater Sydney, the Hunter, Western Sydney/Blue Mountains and the upper Belubula River catchment and tributaries and associated with:
  - (i) rivers, creeks, streams, brooks, channels and any other watercourses;
  - (ii) dams, lakes and water catchments;
  - (iii) water tanks;
  - (iv) sewerage treatment plants;
  - (v) wildlife and livestock; and
  - (vi) soil.
- (b) all documents created since 1 January 2022 relating to the known and potential health impacts of all types of PFAS, including PFOA, PFOS, PFHxS, PFBS and GenX chemicals;
- (c) all documents created since 1 January 2021 relating to lead exposure or contamination, or the risk of lead exposure or contamination, resulting from mining in the two geographic regions of Far West and Central West;
- (d) all documents created since 1 January 2021 relating to assessments of lead exposure or contamination, or the risk of lead exposure or contamination, from mining projects or proposed mining projects in the two geographic regions of Far West and Central West; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I have circulated the amended motion so that members have it before them. I have also spoken to members about the amendments to the motion. The call for papers deals with two concerning contaminants that have recently been reported on as a result of investigative reporting. Those two contaminants are PFAS and lead. PFAS have been coined forever chemicals because they are some of the strongest chemical bonds known to humankind, but they never break down. For a decade, there have been alarming reports of PFAS contamination in soil, in water, in people's bodies and in wildlife in this State and globally. Over the past few months, members of this place have become increasingly aware of the threat that PFAS poses. PFAS are linked to a number of serious health conditions, including suppression of the immune system, reproductive effects, interference with hormones and cancer.

PFAS contamination scandals in Williamstown and Wreck Bay due to Department of Defence activity led to Federal inquiries and moves to phase out the use of those chemicals in firefighting activities and other industrial uses. At this point, I acknowledge the incredible work of *The Sydney Morning Herald* investigative reporter Carrie Fellner. This year she was nominated for a Walkley Award for her groundbreaking reporting on the issue. A documentary has been made about her work, which was released in April this year. *Revealed: How to Poison a Planet* is now showing on Stan.

Carrie has been working on the issue for almost a decade. She started working on it at the *Newcastle Herald* in 2016 when she heard about a potential cancer cluster along Cabbage Tree Road in Williamstown. She basically doorknocked every home and uncovered the cancer cluster as a result. She dug and dug, and then heard about a similar situation on the other side of world in the United States. She was contacted and informed about a cancer cluster of brain tumours in school students at a local high school next to or in the vicinity of the 3M factory in Oakedale, Minnesota, so she travelled there. I am not sure too many people realise that it was *The Sydney Morning Herald* investigation that led to much of this work and exposure. The NSW Environment Protection Authority now has some of the toughest drinking water guidelines in the world as a result of Carrie's work, which is absolutely extraordinary.

I note the environment Minister was nodding her head at the work of the journalist, but a lot of people really got to know Carrie's work through an investigation in *The Sydney Morning Herald* on 11 June this year

when the PFAS contamination scare came to Sydney. There have since been other reports, including reports of contamination in the Belubula River. I also want to talk about the work of Professor Ian Wright, who has spent countless unpaid hours working with communities, travelling across the State to test their water. Communities ask me who can undertake independent testing when they are really worried and need testing done. Professor Ian Wright and his PhD students are absolutely incredible. A lot of people say that they wish they could clone Professor Wright because he has really worked to the bone.

Another investigation reported in *The Sydney Morning Herald*, this time by Angus Thompson and Rhett Wyman, talked about lead levels increasing in Aboriginal children in Broken Hill. That is absolutely extraordinary. This call for papers is largely to find out the extent of PFAS contamination in waterways, but also the extent of lead contamination in both Broken Hill and new project areas, including the risk, and monitoring what is going on. We have workshopped to narrow the scope of the Standing Order 52 motion as much as possible. I hope the House supports it.

**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) (16:52):** At the outset I say two things. One, we appreciate Ms Cate Faehrmann's collaborative approach to make sure that the use of the call for papers power is targeted in a way that provides her and all members with access to information that they are entitled to as members of this House. She has done so in a way that does not require agencies, and particularly the NSW Environment Protection Authority in this instance, to provide literally hundreds of thousands of documents that are not relevant to the information she seeks.

With that collaborative effort, I also say that the Government supports the motion because it certainly has nothing to hide and it wants to collaborate with members, the media and communities who are concerned about the issue. Government members share community concern around pollutants in our environment and think it is appalling that certain big polluters were able to introduce polluting chemicals into our environment that potentially have harmful consequences for human health. We want to make sure that we are as up-front and as transparent as we can be and that we collaborate in efforts to do something about it. I see the call for papers as part of that effort, as is the inquiry that the Parliament is going to undertake. The Government welcomes both.

We have also welcomed the updated draft revised guidelines for drinking water standards in this country. Again, we want to make sure that we are right on top of any new and emerging evidence about the safe levels of certain chemicals in our drinking water. That is what the National Health and Medical Research Council has done in its draft guideline. We welcome that. We are already leaning in to make sure that we have done everything we can to be compliant. A lot of the information that will be provided as a result of the Standing Order 52 motion will demonstrate that we have done a lot of work in the last few months to make sure that we are regularly testing water sources in the Sydney catchment, and that we are working with local water utilities to support them to do their testing. We recognise that is of concern.

We reassure the community that water is safe to drink. Our water rating is within Australian drinking water guidelines and there are no areas in which we are aware that PFAS levels are in breach of the current guidelines. We reiterate that, but in the spirit of making sure that there is widespread community understanding about what the risks are and what the Government is doing about it, we support the amended Standing Order 52 motion.

**The Hon. SARAH MITCHELL (16:55):** On behalf of the Opposition, I indicate that we support the motion. I have previously spoken in the House about our desire to get to the bottom of what is happening with PFAS. The committee has been set up, but Opposition members maintain that there might be a day when a special commission of inquiry is the right thing to do. The House obviously chose differently when we raised that, but Opposition members' concerns about transparency have not changed. We think having that information available is important. I anticipate that the documents that come through the call for papers will probably also help inform the committee inquiry process. We are very happy to support the motion as amended. We think it is important there is transparency around the information available, particularly given the community concerns around the issues. We thank the member for moving the motion.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:56):** I thank Ms Cate Faehrmann for her willingness to reduce the scope of the call for papers. I make a contribution about the NSW Environment Protection Authority [EPA] and the work it has done on PFAS. There is no doubt that the cumulative chemicals in our environment are widespread and almost impossible to get rid of. There is a lot of work underway to stop more of them coming in as we try to manage the legacy issues of what is already there.

I also acknowledge the work of Carrie Fellner. When I was the shadow Minister, I was very involved in what was going on at Williamstown. Her work was incredibly important. That is why it is so important that the Government is transparent about what is going on and that it gives the community as much information as they

need. We need to be open and honest about what the risks are, and we need to be very clear about actions we are taking to deal with them. Previous governments had long-running programs to assess and manage contamination. As a result of those efforts, there is a nationally agreed risk-based approach to guide the assessment and management of historical contamination. Historical legacy contamination often results in conducting site-specific assessments to minimise the exposure of the contaminants. I therefore flag that, even with the narrowed scope, there will be a very big return on the call for papers because, as the regulator, the EPA have conducted over 1,100 site-specific assessments across New South Wales since about 2016. I know and really appreciate that the member has narrowed that scope as well.

I flag with the member and the House that we want to comply and give the member what she wants. We do not want to provide excessive information that does not help her in what she is trying to do. I flag that I will talk to the member when we get the EPA to respond to the call for papers. It will be a substantial diversion. We will absolutely meet it and are very happy to do so, but I place on record that we suspect there are a lot of documents and we will look at what those are. To be frank, I also have a real interest in the work of the EPA on a range of other issues, not least of which is finalising the mulch investigation. We want to make sure we can work through the motion with the member. We really welcome the cooperation and will continue to talk about it. We are really happy to provide the information.

**Ms CATE FAEHRMANN (16:58):** In reply: I acknowledge the contribution of the Minister in terms of working to refine the scope of documents. I absolutely do not want to move Standing Order 52 motions that waste the time of hardworking public servants. With this particular issue, we do not know what we do not know. The big thing is that it took an investigation by *The Sydney Morning Herald* and independent water testing to expose both the Belubula River PFAS contamination and the Sydney Water contamination issue. They have both been revealed by investigations by the community and the hard work of whistleblowers.

I was reluctant to reduce the scope of the documents and the regions. I reduced the regions to, for example, the upper Belubula River catchment, the Hunter region and Greater Sydney. I know there are other regions around New South Wales. This is the beginning, and it will inform our inquiry, which I understand has its first hearing in December. We will have more hearings early next year. These documents will inform the hearings and our deliberations. We may be back for more documents. That is what we have done to date. I am happy to work with the Minister as well if further reductions are needed.

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

**Motion agreed to.**

## **SYDNEY GATEWAY EVENT**

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

**The Hon. NATALIE WARD (17:01):** I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution all documents created since 1 June 2023 in the possession, custody or control of the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Nighttime Economy and Minister for Jobs and Tourism, the Minister for Industrial Relations and Minister for Work Health and Safety, Transport for NSW or SafeWork NSW relating to the Sydney Gateway end of year event held on 9 December 2023, and any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This order for papers, which will not surprise honourable members who know of my passion for information and transparency, relates to the Sydney Gateway *Casino Royale* party. It is a simple, targeted and specific call for papers, looking at what went down in the lead-up to and, most importantly, following the lavish *Casino Royale* party held at Sydney Gateway on 9 December 2023. I am trying to help the Minister, to ensure that the communication is very clear, that the department is serving him well and communicating well and that the people of New South Wales know that they are in good hands. Because, by *The Living Daylights*, I cannot understand how the party was allowed to proceed. I have moved many motions under Standing Order 52 in this place and, although there has been a tendency for a *Dr No* from the Government, there may be some sympathy for this one and for open, transparent accountability.

That is important because holding lavish *Casino Royale* parties on taxpayer-funded worksites is not appropriate. I grant that the Minister has acknowledged that. The Minister has been up-front about what he knew and did not know. But *Tomorrow Never Dies*, so it needs to be asked who knew what and when inside the department about this party, because there currently appears to be a *Quantum of Solace* or cover-up of sorts. It appears the secretary of the department knew for months about this corporate extravagance but failed to mention it, perhaps trying to sweep it under the rug or dealing with other operational matters—I am not sure which. Someone was injured. Clearly, there was nothing to see, but a *GoldenEye* will tell us that it is odd behaviour not

to be up-front about it. The transport department, the Minister has assured us, should be reporting to him clearly. The transport department is not a *Live and Let Die* agency.

I have no doubt the Minister and the secretary meet regularly, as the Minister has conceded—at least weekly, if not through a daily conversation or update. I think they still do the morning updates. The Minister's office is likely to be in daily contact with the department. By any judgement—including, I would expect, Mr Murray's—craps, blackjack and roulette are for the casino floor, not a government project. Surely, a secretary of his capability, with his communications experience, would have picked up the phone months ago and said, "Minister, we have a problem. Transport approved a lavish party at Sydney Gateway, but I am on the case. I am here; I have stepped up." Apparently, that did not occur, and I am wondering why. It is the *Spectre* of which we do not know. Clearly, there was a reason or a *View to a Kill* of this story inside the department.

When I was a Minister, the secretary would call me about all sorts of issues. I had my fair share, I concede. I will not name them, but there were multiple issues. It is a fairly strange situation that this issue was not raised at that time because it potentially means two things. Firstly, there was a cover-up. Secondly, what else is the Minister blissfully unaware of? Why is he not outraged? Why he is not saying, "Thank you for bringing this motion forward. I am outraged. I support it because I wanted to know." Why does he not pick up the phone and say, "Josh, I get the operational experience limitations, and I have defended you on those. But you need to step up on the communications."

Transport for NSW is a *For Your Eyes Only* department; the Minister is in charge. While the department may have wished this story would *Die Another Day*, we as a house of review should look into the matters that occurred to determine what can be learned. What can we take away from this? *The World Is Not Enough*, and the word of a government is not always enough. We should know more. Departments do not have a *Licence to Kill* a story because it is inconvenient to the Government. Departments need to be up-front about what they are doing.

Mr Murray's judgement may be golden to the Government, but he does not have a *Goldfinger* allowing him to just point the finger at junior employees and not tell the Minister. He should pick up the phone and say, "This is on your radar. We want to do better." For effective governance, the relationship of responsibility between the department and the Minister needs to be a diamond relationship, because *Diamonds Are Forever* and ministerial and secretary responsibility is forever. I commend the motion to honourable members. It is clear what we are after; there is not a lot to see here. I hope the Government will support it.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (17:06):** The Government will support this motion. It is an entirely appropriate call for papers. I commend the shadow Minister for the effort she put into her contribution, but a range of serious issues are raised here. This is a far more appropriate use of the House's time than the set of questions that the Opposition has raised. I do not understand the distinction they draw between operational issues and policy issues. They have not brought those forward. But it is appropriate to say that there is a serious incident and to ask what Transport knows about it. I support this use of the House's powers.

I reject the idea that there is a cover-up. I specifically reject the statement that Transport had a lavish party. That falls into a trap. It is important to make this distinction: It is a contractor in control of an active construction site who has done the wrong thing and not sought authorisation. It is important that we do not blur that distinction. It is a Transport-funded contractor, but the contractor is in control of the site, including from a safety point of view. I want to be clear about that distinction.

I am also happy to put some of the key dates on the record. That is a good use of the House's time. The Opposition is entitled to know the ins and outs of the incident, and I have been clear about some of the key dates. The event took place on 9 December. The first time Transport was formally made aware was on 10 December. That was also when the work health and safety officer notified their manager of the event and incident. In all the back and forth, one thing I was not asked about was that first discussion, but I place on the record that it was not made clear, in that first notification, the exact scale of the event.

Perhaps some of the theming that the shadow Minister referred to was also not made clear to Transport in that first interaction. That is appropriate for members to be aware of as they make a judgement about this. On 12 December the first letter from Transport to the joint venture was sent. On 22 March there was follow-up correspondence, and on 30 May there was again correspondence from Transport to the joint venture. My expectation is that all of that should be revealed in this call for papers. It is appropriate for the Opposition to seek that information or seek further clarification through the House, but I place those things on record and again indicate the Government's support of this call for papers.

**Ms CATE FAEHRMANN (17:09):** The Greens support this call for papers. As the member who moved the motion said, it is very reasonable in terms of scope. I think there is a lot of public interest and perhaps media interest in a few circles about what went down. The Greens tend to support most calls for documents, as long as they are not ridiculous and vexatious, so we support this one.

**The Hon. NATALIE WARD (17:10):** In reply: I thank honourable members, the Government and the Minister for supporting the motion. I will make two quick points. One, the Opposition has asked numerous questions about this matter, and it is right to do so. We are not confined to proposing policy changes or amendments. It is for members to ask questions about the Government and what has happened, and we have done so. I thank the Minister for joining us today in seeking further information. We are still interested in the timing and why it seemed to take so long, but we understand. This is a serious issue, and it is commendable that we look into what happened and what the Government can learn from it. We can certainly look at having themed parties at different locations in future, perhaps after the site is completed and open.

Nonetheless, as to the dates of awareness, I reiterate my point that I hope there is an indication in this correspondence that the policy focus might need to be on communicating issues earlier. It is a matter for the Minister as to whose fault that is. In relation to the funding, I think it is splitting hairs to say that it was not funded by Transport. The Minister has acknowledged that it was funded by Transport but, to the taxpayer, they do not know if that is the contractor or the transport department. They just know it is the Government and that it is their money. Ultimately, we should not split hairs on this; we should get to the bottom of it. I thank the Government and Ms Cate Faehrmann for their support. I hope we get some interesting information from this call for papers and we can put the matter to bed.

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

**Motion agreed to.**

## RACING NSW

### Production of Documents: Order

**The Hon. MARK LATHAM (17:12):** I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents in the possession, custody or control of Racing NSW relating to Racing NSW:

- (a) all documents relating to the monitoring and auditing of web traffic and emails of Racing NSW employees;
- (b) all documents relating to the use of closed-circuit television footage from the Racing NSW Drutt Street, Sydney, office;
- (c) all documents relating to the installation and maintenance of listening devices in the Racing NSW boardroom, Drutt Street, Sydney office;
- (d) all transcripts or recordings, partial or full, from listening devices in the Racing NSW boardroom, Drutt Street, Sydney, office;
- (e) all communication between the chief executive, Peter V'landys, and Racing NSW chief stewards over the past five years concerning stewards' inquiry findings and recommendations, where Mr V'landys has communicated what the outcome should be, either:
  - (i) before a stewards' inquiry;
  - (ii) during a stewards' inquiry; and
  - (iii) after a stewards' inquiry.
- (f) all documents relating to the payment and non-payment of positive swab fines for all New South Wales tracks and trainers over the past 10 years; and
- (g) 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.

Imagine if this Parliament became aware that SafeWork NSW, the Independent Planning Commission or the NSW Education Standards Authority had been consistently breaching Commonwealth and State laws, using their regulatory powers to manipulate outcomes and showing bias towards certain individuals. The major parties would be in uproar. ICAC and judicial processes would most likely follow. That begs the question of why Racing NSW is treated differently. This Standing Order 52 application seeks documents from the racing regulator based on material placed before a parliamentary committee. It discharges the most basic public duty and responsibility of this Chamber to hold the powerful to account and uphold integrity in our public institutions where others have failed to do so.

In truth, the New South Wales Thoroughbred Racing Act 1996 created a Frankenstein's monster. Unaccountable to a Minister, ICAC or the Auditor-General and, in the eyes of the regulator, unaccountable to this

Parliament, which created it, Racing NSW has become, as the Hon. Emma Hurst has so accurately phrased it, a lawless organisation. Worse than that, it thinks it is the law, taking its supreme powers over the racing industry, buying off a pliable, corrupted media and showing contempt for the Parliament by actively interfering in the work of the Rosehill committee through repeated attempts to out whistleblowers.

The CEO of Racing NSW and his offsidiers, the chair and the chief operating officer, approached the Rosehill committee pretending that they had run a perfect organisation for 20 years. Under any pressure of questioning at the committee, they adopted a strategy of simply denying the truth. I have 18 documented instances of the committee being actively misled. This SO 52 motion seeks to gather further documents relating to that particular misleading, in particular how Racing NSW has consistently breached the provisions of the New South Wales Workplace Surveillance Act and then sought to mislead about it under oath.

Why would Racing NSW think it could get away with that? Sometimes publicity goes to people's heads, and when those administrators start to believe their publicity and fancy themselves as powerbrokers and networkers and when they are unaccountable to any institution and have bought off the media, they start to think they are above the law and, indeed, immune to punishment. We have heard their acolytes in the media saying that nothing will ever happen to them because the Privileges Committee of the Legislative Council never takes any action because the Government has the numbers and it 100 per cent supports anything Racing NSW does, even when breaking the law. In truth, the Rosehill committee has been the first opportunity in many years that senior people who worked at Racing NSW have been able to detail the many reports, frauds and abuses of that organisation without losing their jobs and without being victims of retribution, either directly from the CEO or through the media acolytes.

The evidence before the committee has been consistent, credible and compelling. It calls forth the documents listed in this motion, most notably the production of documents regarding the monitoring and auditing of web traffic and emails of Racing NSW employees, the use of the CCTV footage at the Druiitt Street headquarters and all documents relating to the installation and maintenance of listening devices at Racing NSW. At the Rosehill committee, I tabled the Racing NSW policy on the monitoring of the use of IT resources, dated August 2016. That was after the CEO of Racing NSW, when asked about the monitoring of web traffic, said that it was absolute rubbish and that there was absolutely zero credibility in what I was saying. He again stressed in correspondence with the committee that Racing NSW does not monitor web traffic.

What does its policy say? The policy says, "All electronic media and communication systems are owned by Racing NSW and, as such, may be monitored on an ongoing basis to ensure they are properly used and that inappropriate use is not occurring. This monitoring will be continuous and ongoing and will commence on the date of this policy for all current employees and the date of commencement of all new employees. Accordingly, employees of Racing NSW should not have the expectation of electronic media privacy." The Parliament was told by the head of the regulator that there is no such monitoring. The policy of the regulator says the monitoring is ongoing and continuous—it is always happening. We cannot allow that abuse of regulatory power and misleading of the Parliament to stand. The racing regulator should be brought to account, and it starts with supporting this SO 52 motion to get the documents to expose the truth on how far out of control—completely unbelievably—this regulator has become.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (17:17):** I indicate at the outset that the Government does not support this call for papers. The member is entitled to bring those issues before the Chamber and, whether those organisations are under the control of the Government or not, the Parliament has a role to regulate them. I will set out some of the Government's views. First, it is appropriate to say that at the moment racing is in a good state in New South Wales in terms of audience attraction and the fact that The Everest went so well. Having now attracted Group One status, it is of significant benefit to the State, and I think it is worth placing that on record. However, Racing NSW has obligations to report appropriately to the Parliament. The member has raised a range of issues, including through the Rosehill inquiry. He is entitled to do so, and he has done so vigorously.

I place on record the Government's understanding of the governance. Racing NSW is the controlling body for thoroughbred racing. It is a statutory body corporate established by section 4 of the Thoroughbred Racing Act. Racing NSW staff are not government employees, and section 5 of the Act indicates that Racing NSW does not represent the Crown and is not subject to direction or control by or on behalf of the Government. There is a process that requires the House to act when an order for papers seeks information from an agency, and the Parliament essentially approaches that agency directly in the way the member is now doing and is entitled to do. It is then up to Racing NSW to consider and respond directly to that call for papers.

Secondly, there is a process for dealing with any complaints or integrity matters. Any complaints related to integrity in the exercise of functions by racing officials that are related to horseracing may be made to an

integrity assurance committee, as provided under section 23A of the Act. The Act provides that that committee has primary oversight of a range of Racing NSW functions. Allegations can also be raised directly with the Minister, and he will then consider appropriate next steps and may refer them onwards. The current Minister for Gaming and Racing has done that in relation to some of the issues raised in the greyhound industry. He has acted strongly in those areas—I commend the Minister's actions. The House is entitled to take these steps, and the member is pursuing this vigorously. The Government does not support this particular call for papers, but I place on record its views about the powers of the House in this matter.

**The Hon. CHRIS RATH (17:20):** The Opposition does not oppose the motion of the Hon. Mark Latham.

**Ms CATE FAEHRMANN (17:20):** The Greens support the motion. I note from the Hon. John Graham's contribution that he does not think this House has the power to compel Racing NSW to produce these documents. Let us wait and see if the—

**The Hon. John Graham:** That is not the position I am putting. The House does have the power.

**Ms CATE FAEHRMANN:** The House does have the power—my apologies. I hope, looking at the numbers, that the House will agree to this order for papers. I am a member of the Rosehill racecourse inquiry. Frankly, the willingness of Racing NSW to produce documents and answer questions when challenged on issues has not been encouraging. The Minister suggested that the member could ask Racing NSW to produce documents, as though it is a government agency—one would hope that a government agency would reveal and release those documents if they exist. With Racing NSW, that is not what we are dealing with.

The correspondence and witness evidence, and the documentation that we cannot talk about because it was returned as privileged or was received in confidence, makes me incredibly concerned about what is going on with Racing NSW. At some point I would like to see legislation that reforms that body and makes it accountable. The inquiry is clearly uncovering the need for that to happen. The inquiry is only supposed to deal with the housing development proposal at Rosehill racecourse and the circumstances surrounding that. However, that is impossible because it is all linked to the way Racing NSW is governed and allegations about what the leadership is doing. Every order for papers concerning Racing NSW has yielded very interesting information, so The Greens support this motion.

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (17:23):** I seek leave under the standing orders to speak a second time to clarify the Government's position. It is important that the Government's position be understood.

**Leave granted.**

**The Hon. JOHN GRAHAM:** There was a question about the powers of the House. I attempted to speak within the time limit, but I do not want any lingering confusion about the Government's position. This is an important clarification about the powers of the House. The House certainly has the power to request documents from bodies such as Racing NSW. That has been the clear advice to the Government. Racing NSW does not respond like a government agency. It is not an organisation under the control of the Government—that is a clear distinction. However, the Government puts the view, informed by advice from the Cabinet Office, that there is a path for the House to request documents from agencies that are not under the control of the Government. That is the Government's position on the powers of the House. The Government does not support this particular call for papers, but it is important to be clear about the powers of the House in relation to various organisations.

**The Hon. MARK LATHAM (17:24):** In reply: I thank the members who contributed to debate on the motion, and I echo the words of Ms Cate Faehrmann. When the truth is finally known, members will be horrified by what has gone on at Racing NSW. Evidence that has been given in confidence is unavailable at the moment but, like Ms Cate Faehrmann, I assure the House that the evidence is compelling, consistent and horrifying in its detail as to what has gone wrong. The Minister made some comments about The Everest. It is true that it was a very successful day for racing, but it is just one day of the year. The problem with Racing NSW is that headline success has been used as an alibi for abuses in other areas.

People come to a racetrack for the joy of racing their thoroughbreds, having a bet, having a day out and associating with their friends. Those people frequently say that the joy of racing has been destroyed by some of the abuses of Racing NSW, which is a very sad thing for the industry. That is one of the reasons I am motivated to try to do something about it, based on the surprising evidence from the Rosehill inquiry about particular abuses, lodged by people who have had the opportunity to speak the truth for the first time. I assure members of the Labor Party, which has a historic mission of holding the powerful to account, that the day will come when they will look back at this incident and think, "How did we get it so wrong? How did we allow this man to get away with so

much, and not hold the powerful abusing their power to account?" As sure as I stand here, that will be the end result.

As to the detail of the powers under Standing Order 52, if the Minister and the Government believe that this Chamber has the power to compel documents from Racing NSW, why did the Government object to a motion to assert that power being taken as formal business this morning? My motion was not to denigrate Racing NSW; it was carefully crafted to outline the legal advice to assert the powers of this Chamber. When in opposition, Government members championed and relied heavily on the powers of Standing Order 52 to get into office. It might be a decade or two before Government members are back on this side of the Chamber, but that time will come again. They will wonder why they ever questioned these powers.

I will seek to move that motion as formal business again tomorrow. If the Government is true to the words of the Minister, it will not object; it will let the motion be passed. That motion does not reflect on Mr V'landys or Racing NSW. It asserts the powers of the House and states that there is no such thing as voluntary compliance with an order for papers under Standing Order 52. That is a power of this Chamber that has been legally established and that we must always assert in the interests of accountability, transparency and the public interest. This Standing Order 52 motion should be agreed to. The Government has not really said why it opposes the motion. The day will come that Government members will look back at these incidents and wonder, "How did we get it so wrong?"

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

**The House divided.**

Ayes .....25  
Noes ..... 14  
Majority..... 11

#### AYES

Banasiak  
Barrett  
Borsak  
Boyd  
Buckingham  
Carter  
Cohn  
Faehrmann  
Fang (teller)

Farlow  
Higginson  
Hurst  
Latham  
MacDonald  
Maclaren-Jones  
Martin  
Merton

Mihailuk  
Mitchell  
Munro  
Rath (teller)  
Roberts  
Ruddick  
Tudehope  
Ward

#### NOES

Buttigieg  
D'Adam  
Donnelly  
Graham  
Houssos

Jackson  
Lawrence  
Mookhey  
Moriarty  
Murphy (teller)

Nanva (teller)  
Primrose  
Sharpe  
Suvaal

#### PAIRS

Farraway

Kaine

**Motion agreed to.**

#### *Motions*

#### **COROWA RALLY**

**The Hon. MARK BUTTIGIEG (17:36):** I move—

**The Hon. Susan Carter:** Point of order: The point of order relates to Standing Order 107. This is a fine motion which the Opposition would be happy to support. However, last week we supported a motion, moved by Dr Amanda Cohn, which was essentially the same and which the House passed as formal business.

**The PRESIDENT:** What is the point of order?



**The Hon. Susan Carter:** Under Standing Order 107, this is the same question being put to the House.

**The Hon. Penny Sharpe:** To the point of order: There is a whole process in relation to private members' business. This has been through the committee. The Opposition had an opportunity to express a view about changing it or whether it should have been brought to the House. Private members are allowed to move motions. This item is in a format that should be allowed. Whether the motion is similar to other motions is not relevant to whether it should be moved today.

**The Hon. Susan Carter:** Further to the point of order: Standing Order 107 says:

- (1) A question may not be proposed if it is the same in substance as any question which has been determined during the same session, unless the order, resolution or vote on such question was determined more than six months previously or has been rescinded.

The previous motion was dealt with a week ago.

**The PRESIDENT:** I appreciate the member's point of order. It is a good, appropriate and intelligent point of order, and I thank her for bringing it to the attention of the House. In the past, this standing order has predominantly been used for legislation and disallowance motions. This issue is regarded more liberally on private members' day, so I will allow the debate to continue on this occasion. That said, it is a good point of order and I will be watching closely to ensure the standing order is not abused in the future.

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

- (1) That this House notes that:
  - (a) there is no place for racial hatred, extremism or white supremacist ideology in New South Wales;
  - (b) on 12 October 2024, concerning images of a neo-Nazi rally in the small border town of Corowa came to light, with participants dressed all in black, with their faces covered, holding up a sign and chanting white supremacist language;
  - (c) the group has been linked to a wider neo-Nazi group operating across the country;
  - (d) the local Corowa community strongly spoke out against the rally, noting that the town had never seen such a demonstration before; and
  - (e) regional New South Wales, like the metropolitan areas, has a long history of multiculturalism, which makes its society infinitely stronger.
- (2) That this House condemns the rally that took place in Corowa on 12 October and all forms of racism and extremism in New South Wales.
- (3) That this House congratulates the people of Corowa for rejecting the divisive intent of the rally.
- (4) That this House affirms its unequivocal support for multiculturalism across New South Wales. New South Wales is a tolerant, connected and cohesive multicultural society. This is especially true in our regional towns and communities. Regional New South Wales is renowned for its country hospitality, and Corowa has a proud reputation for welcoming newcomers who want the town to grow and thrive. The people of Corowa have spoken out loudly and clearly against the pathetic rabble of black-clad neo-Nazis who chose to hold a rally in their town on 12 October 2024. The town made it very clear that there is no place for such hatred and extremism in New South Wales.

Let me reflect on the true spirit of the town of Corowa and its record as a place that offers friendship and support to newcomers. The town put its hand up at the first opportunity to be a pilot site for the Growing Regions of Welcome program, or GROW. It is an employment and lifestyle program that links people from migrant and refugee backgrounds residing in Sydney's west with opportunities in the Murray and Riverina areas. The people, the council and the local businesses of Corowa have all strongly supported GROW. They were keen to join the GROW pilot because they want to attract and retain people who want to work with them to build a better future for the town.

Corowa is also home to the Who is My Neighbour initiative, which involves a group of visiting refugees, both families and individuals, staying with local families for a weekend. The visitors have the opportunity to connect with locals through a range of events and activities. For those who decide to make their home in Corowa, the Who is My Neighbour initiative also supports them in settling into the local community. The town of Corowa is truly welcoming of refugees, migrants and newcomers. The only people who are not welcome are neo-Nazis, racists and extremists. The last thing Corowa wants is a mask-wearing rabble trying to scare off businesses and workers, and undermining the warm and welcoming reputation of regional New South Wales.

Like other towns in our regions, Corowa embraces diversity. That is evident right across the State, where first, second, third, fourth and even fifth generation Australians have made their homes. Unfortunately, the ugly rally in Corowa shows that there is a tiny number of individuals who seek to incite fear, hate and division. The presence of even a small number of neo-Nazi extremists in our community should be a cause for concern for

everyone. The laws in this State prohibit the public display of Nazi symbols, and yet self-declared Nazis think they can come out of the shadows to hold a public rally.

I thank the police officers who dispersed the neo-Nazis and acknowledge the fast actions of the NSW Police Force, which deployed tactical officers to the region. I am sure the NSW Police Force and our justice system will do everything possible to prosecute any criminal acts. We have a very simple message for those far-right extremists and neo-Nazis, many of whom are allegedly from other States: You are not welcome in New South Wales, and any attempts to spread hate here will be met with the full force of the New South Wales police.

That should serve as a clear reminder that such behaviour is not acceptable in our State. The people of Corowa have spoken for all of us in condemning the rally that took place on 12 October. I place on record the Government's proud support for our peaceful and harmonious multicultural society. I go to a lot of multicultural functions, where I meet with people from a lot of communities. New South Wales would have to be one of the greatest examples of diverse people living together. Being able to interact and empathise with people from other nations, backgrounds, religions and languages turns us into better human beings. The idea that people would actively rally to make the point that one race is superior or that people should be excluded on the basis of their race is reprehensible. It should be denounced. We should reaffirm our commitment to multiculturalism whenever we can, and that is why I have brought this motion. I commend the motion to the House.

**The Hon. SUSAN CARTER (17:43):** This motion deserves our support—which it received unequivocally when a motion in substantially the same terms was passed by this House last week. It passed without debate because its condemnation of racism was so self-evidently correct. Whether it is in Corowa or Market Street, there is no place for racism, racial hatred or white supremacist ideology of any kind. The world saw the fruits of that philosophy in the Nazism of the '30s and '40s, and it saw how destructive of social order and human life race hatred can be.

Sadly, we see the same evil again today, in Corowa and in Sydney too, where we had hoped never to see it. Antisemitic graffiti in Bondi, Bronte and Tamarama, Hamas killing signs painted on Jewish bakeries, and a kosher restaurant destroyed by fire are all too redolent of Kristallnacht and are all actions that should be condemned by this Parliament. Swastikas have been raised high, and racist and antisemitic slogans have been chanted by protesters on the streets of Sydney for over a year now. It does not matter whether the chant was "Eff the Jews" or "Where's the Jews?"; it was still racist and still exhibited a race-based hatred that should stand condemned. Accordingly, I move:

That the question be amended by:

- (1) Inserting in paragraph (1) (a) "antisemitism," after "racial hatred,".
- (2) Inserting at the end of paragraph (2) "including racism and antisemitism exhibited weekly in pro-Palestinian protests on the streets of Sydney,".

The amendment recognises that we are not seeing racial hatred only in Corowa and that we do not condemn it only in Corowa; we condemn it everywhere we see it. We congratulate the people of Corowa on standing up against the neo-Nazi protest in their town, and we stand with them and with those in Sydney who have been calling out the chants and the antisemitic symbols that have been exhibited on the streets of Sydney for too long now.

We have built a successful multicultural society where we acknowledge—in fact, rejoice—that not everyone lives their lives in the same way, eats the same food or celebrates the same feast days and festivals. We have embraced the richness that has brought to our lives. That multiculturalism has been built on the bedrock of our liberal democracy, which is based, as any democracy must be, on a fundamental respect for each and every human person—a respect that is incompatible with racism of any kind. Let us join together and condemn neo-Nazi, antisemitic race hatred wherever we see it—in Corowa, on Market Street or on the steps of the Opera House.

**Dr AMANDA COHN (17:46):** The Greens strongly support the motion. I thank the Government for the opportunity to discuss the issue again, noting that a similar motion passed unanimously last week. Members of our regional community have reached out to me and to other elected representatives asking for us to condemn that event. I am very proud that this House took that unanimous position last week. I thank the Government for its leadership. It is fairly shameful of the Opposition to use this really important discussion as an opportunity to score a political point against people protesting in Sydney for a free Palestine. People in Corowa who are ashamed of their community being promoted in the media as a place that is racist have asked elected representatives to stand up today specifically against neo-Nazis and against the racism that was exhibited in Corowa. It is not about similar events in Sydney that the Liberal Party might want to talk about.

So many of the people who were involved in the rallies are not local. The community is not proud of the event that took place on 12 October, and many community leaders, including the local member and local councillors, have unequivocally condemned the rally. Corowa is a beautiful town on Wiradjuri and Bangerang

land. The town's residents want it to be known for its proximity to the beautiful Murray River. They want it to be known as a place that people can visit for water recreation, to attend farmers' markets, to look at Federation history and to visit a distillery.

I was in Corowa on the morning of 12 October, participating in a five-kilometre fun run at Ball Park on a beautiful shared path on the riverfront. The community came together and supported each other in active recreation. I had brunch at a local cafe. Corowa wants to be known for those sorts of activities, not racism. It is so important that this House stands unanimously with the Corowa community today in condemning the events of 12 October, as we did last week.

**The Hon. JEREMY BUCKINGHAM (17:48):** On behalf of the Legalise Cannabis Party, I support both the motion and the amendment moved by the Hon. Susan Carter. I was as shocked and confounded as most people in Australia to see that in Corowa of all places we had the emergence of neo-Nazis and fascists on the streets parading around in their black paramilitary gear, intimidating the community. It must be condemned in the strongest possible terms. All racism—Islamophobia, antisemitism and all of that abhorrent ideology—must be condemned and called out at every opportunity. This is an important motion. I am more than happy to condemn racism.

It not only confounds me that it happened, but it confounds me that people who purport to love Australia and be patriots of this country can ignore the fact that we fought a world war and lost tens of thousands of people. In World War II we effectively upturned the lives of a generation to defeat the totalitarian regime of Adolf Hitler. How can people who purport to be patriots turn up at the war memorial and ignore that it is full of Messerschmitt aircraft and vehicles of the Afrika Korps? How can they not see that the Victoria Crosses won in that war were won by Australians who died fighting against Nazis in bombers over Berlin or in Tobruk? It is an absolute disgrace that they would presume to be patriots while ignoring that fact.

Many of our fathers, grandfathers, great-grandfathers and mothers put their bodies on the line and lost their lives in the defence of freedom, liberty and tolerance by fighting fascism. Those who came across the border and do not live in New South Wales are not welcome, and their ideology is not welcome. They are not patriots. They are a cowardly disgrace. I welcome that the Government is committed to bringing the full force of the law against them wherever they emerge. In the words of John Belushi in that great seminal movie *The Blues Brothers*, "I hate Nazis."

**The Hon. CHRIS RATH (17:52):** I support the motion and the amendment. The Opposition and, I hope, all members of this House condemn racial hatred and Nazism. The point that the Hon. Jeremy Buckingham made is correct: The good guys won World War II. If circumstances had been different, the people who emerged in Corowa would be the types of people running the world. But, fortunately, we won. The good guys won. Australia is one of the most successful democracies in the world. We have a multiracial, multifaith society, which is why I think all members are happy to condemn racial hatred and antisemitism. Too often in the world today people are on the wrong side of good versus evil. When it comes to antisemitism, I thank the Hon. Susan Carter for moving the amendment. A core tenet of Nazism is antisemitism. We could not have Nazism without antisemitism; they are almost one and the same. We have an almost horseshoe scenario of those on the ultra far right and those on the ultra far left too often excusing antisemitism in Australia and in so many western countries around the world.

This motion with the amendment is correct in calling out racial hatred, neo-Nazism and antisemitism. I hope all members support the amendment and the motion. We can think of other recent examples in addition to the neo-Nazi rally mentioned in the motion. They include the vandalism of shops; people calling for boycotts of someone's shop; a red triangle, which is a kill symbol, being put on someone's office; and students being harassed for their faith or their race. It is reminiscent of Kristallnacht, as the Hon. Susan Carter said. It is reminiscent of Germany in the 1930s, but this is Australia in 2024 where the good guys won. We should not be experiencing racial hatred and antisemitism like that after the battles we fought in the past and as the victors of World War II. We should not be experiencing antisemitism and racial hatred. I commend the motion and the amendment to the House.

**The Hon. WES FANG (17:55):** In my contribution I will note a few things in relation to the debate thus far. The first is that the motion moved by the Hon. Mark Buttigieg is commendable. Certainly, racism of any sort is abhorrent. This motion clearly outlines that. The amendment moved by the Hon. Susan Carter points out the obvious, which is that, in the same way racism is abhorrent, antisemitism as a form of racism is equally abhorrent. I have no issue with supporting the amendment. I note the contribution to this debate of Dr Amanda Cohn, who lives in the region and knows it very well. I acknowledge that she has been a strong advocate for that community. Indeed, she was in Corowa almost at the same time as the rally.

However, I take a slightly different view in relation to the issue around Corowa itself. I think Dr Amanda Cohn said that it was difficult day and the residents were ashamed, but I think it was a proud day for

Corowa because the community rose up against what occurred there. A quintessential country community acknowledged that the rally was racism and it was wrong. The community made their point very well and in the first instance it was the community that stood up to the neo-Nazis. I think it is a proud day for the people of Corowa that they did that. It is a way for us to know, particularly those of us who are of mixed culture or mixed race, that we are welcome in rural and regional communities because we saw that community stand up to those neo-Nazis. As I said, I take a slightly different view, but I think it was a particularly proud day.

I acknowledge that Dr Amanda Cohn is probably right that there were issues around jobs and those who took part in the rally were mostly blow-ins, not locals. Regardless of why they were there, their feeble attempt to take over the town of Corowa was swiftly knocked back by the very inhabitants of that town, which makes me incredibly proud. In conclusion, in the same way that they ask us to reject what occurred the other day, I think they would not have a problem with this House accepting that antisemitism also is racist. *[Time expired.]*

**The Hon. STEPHEN LAWRENCE (17:58):** I saw newspaper reports of the breaking-up of the incident in Corowa and I was interested to view the video of the event. I was particularly interested in the use of police powers; I am always interested in questions of police powers. I watched the video to understand what police powers had been used to, fortunately, end the incident. I will not describe or repeat the contents of the video, except to say that it was horrifying. It was an absolutely raw, blatant and horrifying display of antisemitism and a display of the classic scapegoating that Nazis and other far right people throughout history have used. The ranting from the particular individual referenced a local industry's use of foreign labour. He was attempting basically to scapegoat those workers to try to generate some support for their cause in the people of Corowa, repeating the absolutely insidious and disgraceful conspiracy theory about Jewish people that lay at the heart of Nazism.

The police are still considering the matter. I was interested to know to what extent that disgusting behaviour could be a breach of the peace. I suspect it certainly could have been. That may well have been the basis for the police action. Police also have powers to move people on where intimidation or harassment is occurring. That would seem another obvious basis for the use of police powers. I was particularly interested to ponder whether it could be offensive language or offensive manner. I have seen people charged with those offences for using the f-word. There were no swear words in this diatribe, but it was, frankly, one of the most offensive things I have ever heard a person say in public. I suspect the police had ample basis to do what they did, and we are fortunate that they did it.

There has been a lot of discussion in this place over the past year about antisemitism and what antisemitism is. Dr Amanda Cohn has spoken about those matters. She is a person of Jewish heritage, descended from European Jews. I do not think I could put it any better than she has: There is an absolute need not to mischaracterise and twist and politically deploy the concept of antisemitism because this incident shows the presence of these people in our community—they exist basically throughout the world—and they need to be called out for what they are. When we confuse what this really is, we really do not assist that cause.

**The Hon. MARK BUTTIGIEG (18:01):** In reply: I thank the Hon. Susan Carter, Dr Amanda Cohn, the Hon. Jeremy Buckingham, the Hon. Chris Rath, the Hon. Wes Fang and the Hon. Stephen Lawrence for their contributions. The Government accepts the first part of the amendment moved by the Hon. Susan Carter, which inserts "antisemitism", but it rejects the second part. I ask that the question be put seriatim when the time comes.

It is very disappointing that the Opposition sought to demean the motion, which is about making the point that multiculturalism matters, and it matters in the regions just as much as in the cities. To try to conflate the issue with what is happening at weekend rallies, quite frankly, cheapens the spirit of the motion. The fact that the member would try to forestall the debate originally on an item that was dealt with in formal business, while Dr Amanda Cohn was more than happy to have it debated to reiterate how important the point is, again shows that the Opposition is more interested in using this as a wedge to divide the House rather than backing-in the substantive motion, which is all about how important multiculturalism is to this State. In this particular case, it shows it is just as important—if not more important—in the regions, particularly with respect to the reprehensible and despicable display of racial supremacy and Nazism at Corowa. It has nothing to do with pro-Palestinian rallies on weekends in Sydney.

For members to back that wedge motion cheapens the whole concept of multiculturalism. Perhaps they want to question their commitment to it if they are prepared to do that to a motion that was brought to this House in good faith to back-in our support of multiculturalism. Again, we accept the first part of the amendment which seeks to insert "antisemitism", but we reject the implication that it is antisemitism exhibited weekly in pro-Palestinian protests. I ask that the questions be put seriatim so that we can deal with the concept separately. The motion is about rejecting what happened in Corowa and reiterating our support for multiculturalism.

**The DEPUTY PRESIDENT (The Hon. Emma Hurst):** The Hon. Mark Buttigieg has moved a motion, to which the Hon. Susan Carter has moved an amendment. The question is that paragraph (1) of the amendment be agreed to.

**Paragraph (1) of the amendment agreed to.**

**The PRESIDENT:** The question now is that paragraph (2) of the amendment of the Hon. Susan Carter be agreed to.

**The House divided.**

Ayes ..... 14

Noes ..... 21

Majority..... 7

#### AYES

Barrett  
Carter  
Fang (teller)  
Farlow  
Latham

MacDonald  
Maclaren-Jones  
Merton  
Mitchell  
Munro

Rath (teller)  
Roberts  
Tudehope  
Ward

#### NOES

Banasiak  
Borsak  
Boyd  
Buttigieg  
Cohn  
D'Adam  
Donnelly

Faehrmann  
Graham  
Higginson  
Houssos  
Hurst  
Jackson  
Lawrence

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

#### PAIRS

Farraway

Kaine

**Paragraph (2) of the amendment negatived.**

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

**Motion as amended agreed to.**

### VETERINARIANS AND MENTAL HEALTH

**The Hon. EMMA HURST (18:12):** I move:

(1) That this House notes that:

- (a) New South Wales is currently facing an alarming veterinary workforce shortage, with large numbers of veterinarians, vet technicians and vet nurses suffering from burnout, stress and mental health concerns, resulting in many individuals leaving the profession;
- (b) veterinarians have one of the highest suicide rates of any profession, and are up to four times more likely than the general population to take their own lives;
- (c) the recent *Inquiry into the veterinary workforce shortage in New South Wales* found that suicide risks reported by the veterinary profession are highly concerning, and urgent action must be taken;
- (d) vets report they experience mental health impacts from having to kill healthy or otherwise treatable animals due to financial limitations and the companion animal overpopulation crisis, and distressing situations with clients who cannot afford veterinary care;
- (e) mental health is also strained by the financial toll of providing unpaid veterinary care, especially to wildlife, and the pressure of long working hours and a relatively low income; and
- (f) the veterinary shortage crisis is harming both humans and animals, and the Government must urgently intervene.

(2) That this House calls on the Government to take urgent action to address the serious mental health and suicide risks facing the veterinary profession and provide support for these essential services.

I start by acknowledging the veterinary workforce. I thank veterinarians, vet technicians, vet nurses, staff, animal rescuers and volunteers for their expertise, long hours and dedication to helping animals. Veterinary professionals really are frontline workers, facing gruelling and essential work, day after day, with little recognition or support.

During the recent Portfolio Committee No. 4 inquiry into the veterinary workforce shortage in New South Wales, mountains of evidence came to light revealing just how hard the situation really is for the profession. A key theme throughout the inquiry was the mental health impact on the veterinary workforce. It was found that a higher percentage of veterinarians experience mental health conditions than the general population, to the point where more than a quarter of surveyed veterinarians had been compelled to take time off work due to stress or poor mental health. Perhaps the most tragic evidence was that people in the veterinary profession are four times more likely than the general population to commit suicide. It is an urgent call for action.

Many of the causes behind the psychological impact of the work can be addressed or, in some cases, avoided with changes and support from State governments. The recent inquiry highlighted many of those, one of which was the killing of healthy or very easily treated animals. That task is often dumped on vets when pounds are over capacity, which is caused by puppy farming and backyard breeding and, of course, the rental crisis. Vets do not want to do that work but if they refuse, animals might be killed in inhumane ways, such as the shooting of dogs and puppies in pounds. The emotional toll on vets is enormous.

The cost-of-living crisis also has a direct impact on the veterinary profession. Veterinary care is not subsidised in the same way as human health so it is unaffordable to most during a cost-of-living crisis. As a result, vets are often faced with a crushing moral dilemma. They can sacrifice their own financial needs by providing free care and working extra hours without pay, or they can deny services and either let an animal suffer or euthanise them. That can often lead to heartbreaking conversations with families as well. Euthanasia has a cost, both financially and emotionally, and when it is performed on thousands of animals, that cost is dangerous. We desperately need support and subsidised vet care for low-income earners, pensioners and animal rescue groups.

The reality is that the demands on vets, technicians, nurses and staff are endless. They work long hours, are often on call around the clock and provide after-hours care. There is also an ingrained expectation that vets will provide discounted or free care to injured wildlife; in fact, they are even required to do so. We need dedicated, ongoing government funding for wildlife veterinary services, including rescue organisations, specialist wildlife hospitals and units and contributions to reasonable costs for services at private veterinary practices. Those small business owners are expected to take on a role on behalf of the State yet they are not receiving proper compensation for that work. The pressure on small businesses cannot continue; wildlife is a responsibility of the State and the State Government cannot continue to dump the cost of it onto small businesses. It is adding to the very serious pressure the industry is facing.

I know the cost of caring for animals. The emotional weight is enormous. When caring people work in those fields, they often find themselves in a battle against compassion fatigue and a sense of hopelessness or despair. To ensure the profession is as strong as it can be, I call on the New South Wales Government to fund mental wellbeing programs for veterinarians and to ensure suicide prevention programs are made available specifically to them. Ultimately the root causes of the problems are all connected. If we improve the pounds system, we lessen the number of euthanasias vets are required to perform. If we stop puppy farming, we reduce the problem of companion animal overpopulation. If we introduce rental reforms that are truly animal friendly, then we reduce the number of animals dumped at pounds and increase adoptions and get people and animals out of violent situations. All of that would go a long way towards improving the life satisfaction and mental wellbeing of our vets. A kinder world for animals is a kinder world for humans.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:17):** On behalf of the Government, I contribute to debate on the motion moved by the Hon. Emma Hurst. The Government does not oppose the motion and I thank the member for bringing it to the House. As the Minister for Agriculture, I certainly understand that a well-functioning veterinary profession is critical to protect the welfare of animals in this State. It also ensures the sustainability of the State's agrifood value chain that delivers approximately \$8 billion in livestock products to the New South Wales economy annually.

Vets are vital to our ability to investigate disease in livestock that may present a risk to food safety and biosecurity in New South Wales. They also play a critical role in the New South Wales animal welfare regime for both companion animals and livestock. Limited vet numbers can have significant implications for animal welfare because the work vets do to treat sick and injured animals, collect stray animals and educate the community about providing animals with appropriate care is so vital. Currently there are 4,628 registered veterinary practitioners and 715 licensed veterinary hospitals in the State. While they do extraordinary work, the report of the Portfolio Committee No. 4 inquiry into the veterinary workforce shortage in New South Wales made it clear that there are just not enough vets to meet the need. We know that; it has been a long-term problem. The report was handed

down in June 2024. It made 34 recommendations, including a review of the Veterinary Practice Act and Companion Animals Act, and highlighted several specific areas of reform to ensure a contemporary and fit-for-purpose regulatory framework and workforce, and sector support.

The New South Wales Government's response to the parliamentary inquiry's report on veterinary workforce shortages was tabled on 30 September 2024. The Government is deeply concerned about the mental health challenges faced by vets and the alarmingly high suicide rates within the profession. I note that several specific recommendations have been made about those concerns. In its response to the veterinary workforce shortage, the New South Wales Government supported in principle recommendations specifically aimed at improving the mental health of vets and reducing suicide risk.

The Government is committed to ensuring funding options through the budget process for mental health programs specific to vets and educating users of veterinarian services about the impact of their behaviour on vets. The Government's response also includes actions to address regional and rural veterinary service shortages, a review of the Veterinary Practice Act 2003 and trials for increased availability of places in day care to increase participation of women in the workforce. I encourage people to read the report and the Government response.

**The Hon. SARAH MITCHELL (18:20):** I speak on behalf of the Opposition in support of the motion moved by the Hon. Emma Hurst. I note that the member is passionate about the issue. She and I were members of the committee that conducted the inquiry into workforce shortages in the veterinarian industry. Everything in the motion is 100 per cent in line with the evidence that we heard in that inquiry. The workforce shortages are real and are having an impact on vets right across the State. I particularly highlight the issues around the serious mental health and suicide risks. Like many people, prior to the inquiry I had heard anecdotes about the rates and statistics of suicide in the profession, but it was only through being a member of that inquiry and hearing the evidence, particularly from vet associations and vets themselves, that it hit home that we need to focus on it and look at it in a very specific way.

I acknowledge some of the peak organisations, which have already got ideas about what the Government can do to raise awareness and put more support in place for vets. As part of the inquiry, we went to Charles Sturt University in Wagga Wagga. We chatted to some final year vet students about this issue in an informal way. They are concerned about it. They know that they are entering a profession that has a high rate of suicide. They talked about what they will do to help manage stress and those risks. That is before they have even graduated. On one hand, it is good that they are aware of it, but on the other, it is also incredibly frightening that in their final years of university, they are thinking about whether they will end up being one of those statistics. That really hit home for me. We need to do more in that space, particularly around the fact that every day they are dealing with the trauma and upset of people who are losing their much-loved pets or dealing with trying to support wildlife that they are not able to save. It is a problem. Added on top of that are the issues around working long hours and travel. For regional vets, they are sometimes the only vet in the community and could be out on call.

In my experience, people who become vets love animals and want to make a difference to animal welfare. It is a big issue. I know that the Government has responded to the inquiry. That has been talked about in other debates in the House. I again acknowledge and thank the Hon. Emma Hurst for moving the motion. The issue is not going away, and we need to make sure that we are keeping pressure on the government of the day to provide any support that is available. The two Ministers who can do something about it, the Minister for Mental Health and the Minister for Agriculture, are in the Chamber at the moment. More support that is specific to veterinarians and their mental health is only a good thing. The Opposition supports the motion and urges the Government to take it seriously and put more in place to support that workforce.

**Ms ABIGAIL BOYD (18:23):** I speak on behalf of The Greens to support the motion. I speak as both The Greens' animal welfare spokesperson and a participating member of the recent inquiry into the veterinary workforce shortage in New South Wales. New South Wales is facing an alarming veterinary workforce shortage, which is having devastating impacts on humans and animals. The inquiry confirmed what has long been known: The veterinary workforce is categorised by high attrition rates and vacancies, with many professionals experiencing burnout and stress and working long, often unpaid, hours with lower salaries than other professions, despite the critical and specialised work that they do caring for sick, injured, lost and abandoned animals.

During the inquiry, we heard that the vast majority of vets enter into that line of work because they are passionate about helping animals. It is one of the reasons why so many dedicate countless unpaid hours of their time and often treat wildlife, stray animals and companion animals for free, with some practices spending hundreds of thousands of dollars caring for animals that, in many cases, would otherwise be left to die. That passion and dedication does not preclude the immense stress and trauma that often comes with providing constant, intensive and confronting animal care, including euthanasia, emergency rescue and treatment, and dealing with frightened, abused and neglected animals.

Veterinarians, vet technicians and vet nurses provide an important public service that cannot be substituted, yet their work is undervalued and underpaid. As decades have passed, the proportion of government-run veterinary practices has steadily declined. Today, we are faced with an almost entirely privatised industry. During the inquiry, we heard evidence about the increasing corporatisation of the veterinary sector paired with increasingly less government funding for publicly owned practices, which has in turn produced an unsustainable workforce and exacerbated the challenges faced by workers today. We must robustly invest in a public veterinary industry that has a highly skilled, highly paid and resilient workforce in which the labour of each worker is valued. Doing so will attract workers who want to and are able to stay in the industry long term and provide high-quality care for animals in our community.

Professionals Australia, the union for vets in Australia, points out that the issue is not that there is a shortage of trained vets but that there is a shortage of vets willing to work in an unsustainable workforce categorised by poor pay and working conditions. I thank the Hon. Emma Hurst for moving the motion and for her work on the inquiry into the New South Wales veterinary workforce shortage and in the space more broadly. The work of such inquiries is critical in doing the groundwork and providing a framework for the necessary action to reform. The New South Wales Labor Government has demonstrated in-principle support for many of the inquiry recommendations. I urge the Government to not only implement the changes but commit long-term investment in rebuilding a strong, resilient and sustainable veterinary sector.

**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) (18:26):** I speak as the Minister for Mental Health alongside my colleague the Minister for Agriculture to indicate that the Government recognises this as an area of priority. The inquiry highlighted alarming statistics about mental health challenges, in particular the rate of death by suicide, amongst our much-valued veterinarians. I assure the House that, as part of the work that the Government is doing on its whole-of-government suicide prevention legislation, it has recognised the issues that have been ventilated through that inquiry and motions such as this. The Government will ensure that veterinarians are included as a priority population group in that piece of work. Other priority population groups will also have dedicated responses.

The issue came up again at a session that was held with NSW Health for members of Parliament. NSW Health acknowledged that we need a dedicated response. I assure the member that it will happen through the suicide prevention legislation. I advise any veterinarians who may be following the debate and are particularly interested that consultation on that legislation is happening right now with Suicide Prevention Australia, which is a dedicated lived-experience group. Veterinarians who have struggled with their mental health or experienced suicidal ideation as a result of the trauma that they have witnessed are very much encouraged to participate in the consultation to make sure that the specific, dedicated responses that are needed as part of that legislation are included.

One of the things that is recognised in the partnership between the Minister for Agriculture and me is that we want to deal with the lived experience of poor mental health outcomes and ensure that the crisis response is there when people are in distress but also, through Minister Moriarty's broader work, do the preventative piece and address the underlying factors in the veterinarian workforce that make those distressing moments bubble to the surface. We are working together on both the early prevention and intervention work in terms of workforce and sector reform and the obligation that the mental health system has to be there for people who are in crisis and distress. I thank the member for moving the motion. I assure concerned members that the Government recognises the issues of veterinarian workforce reform and dedicated mental health responses, and is exploring opportunities to do more.

**The Hon. MARK BANASIAK (18:29):** As chair of the inquiry into the veterinarian workforce shortage, I associate myself with the motion. I thank the member for moving the motion. I note the Minister's response, a lot of which mirrors the Government response to the committee's recommendations. I will not ventilate the issues that committee members heard during the inquiry, as they have been well covered by other speakers and in the take-note debate on the report.

A lot of the recommendations about mental health had to do with funding. I note the Government's response that it supports them in principle but that a process needs to be followed. That may be disappointing to stakeholders who would have liked to see a response that said, "Yes, here's the money. Go spend it." That obviously cannot happen, and any government that spent money without a proper grants process would be rightly criticised. Therefore, when I speak to the veterinarians at the VET Expo at the International Convention and Exhibition Centre on Friday, I will tell them to make those submissions. The inquiry has provided a window of opportunity for them to ventilate their concerns and for us to put forward recommendations around them. There is now an opportunity for them to make submissions to the Government to get that funding.



I also note that a lot of the recommendations that the committee made cross State party lines and also deal with a lot of Federal issues. A difficulty in managing the issue is that a lot of the recommendations asked the State Government to talk to the Federal Government about doing something. That is obviously a process in itself. I look forward to seeing how the Government responds in terms of negotiations with the Federal Government. I encourage the stakeholders that provided submissions to see the report and the Government's response as an opportunity to keep pushing for what they want. I have always said to them that the report is never going to be the end of the conversation; it is probably just the beginning. That is important for everyone to recognise.

**The Hon. EMMA HURST (18:32):** In reply: I thank Minister Moriarty for her contribution, and I am very glad that the Government is taking the mental wellbeing and suicide risk seriously. I am glad to hear about the work that she is also doing in this space. I also thank the Hon. Sarah Mitchell for her contribution and her work on the committee. It is an issue that I raised continuously in the last term of Parliament, so I am really glad that the House is finally listening to it and giving it the attention it deserves. It is an issue on which we can get support across the Chamber, but members now finally understand it and are really talking about it.

The Hon. Sarah Mitchell is right when she says the situation will not go away. That is why it is so important that members keep it on the agenda. I thank Ms Abigail Boyd for her contribution and ongoing support for the veterinary industry. I also thank Minister Jackson for her contribution, and I am glad the issue has been highlighted to her. I am confident that the Minister will do dedicated work in this space. I welcome that and look forward to seeing that work progress. I also thank the Hon. Mark Banasiak for his contribution and for chairing the parliamentary inquiry. I ask members to support the motion.

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

**Motion agreed to.**

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I shall now leave the chair. The House will resume at 8.00 p.m.

#### *Committees*

### **SELECT COMMITTEE ON FOUNDATIONAL AND DISABILITY SUPPORTS AVAILABLE FOR CHILDREN AND YOUNG PEOPLE IN NEW SOUTH WALES**

#### **Establishment, Membership, Chair and Deputy Chair**

**The Hon. NATASHA MACLAREN-JONES (20:01):** I move:

- (1) That a select committee be established to inquire into and report on child development, early childhood intervention services and other foundational and disability supports available for children and young people with developmental concerns, delays, differences or disabilities in New South Wales, and in particular:
  - (a) the role of such services and supports in a child's overall development, health and wellbeing;
  - (b) the types of services and supports available and measures to improve effectiveness, availability and access of such services and supports in metropolitan, regional, rural and remote New South Wales, including medical, community-nursing, allied health services, NDIS services and other service delivery models;
  - (c) the role of diagnostic services, existing gaps and barriers, and measures to improve effectiveness, availability and access of such services;
  - (d) gaps and barriers to accessing early childhood intervention and their impact on a child's overall development, health and wellbeing, as well as on their family or carers and other government services and systems;
  - (e) opportunities to increase engagement across sectors and improve collaboration across both government and non-government services, including Aboriginal community controlled organisations, early learning services, educational settings and health services;
  - (f) other government or best practice child development and early childhood intervention service models and programs operating outside of New South Wales;
  - (g) workforce issues in the child development and early childhood intervention sectors, including workforce demand and the availability, quality and capacity of existing workers; and
  - (h) measures to implement recommendations of the NDIS Review final report and the disability royal commission final report in relation to foundational supports; and
  - (i) any other related matter.
- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of seven members comprising:
  - (a) three Government members;
  - (b) two Opposition members, one being the Hon. Natasha Maclaren-Jones; and

- (c) two crossbench members, one being Ms Abigail Boyd.
- (3) That the Chair of the committee be the Hon. Natasha Maclaren-Jones and the Deputy Chair be Ms Abigail Boyd.
- (4) That, unless the committee decides otherwise:
  - (a) all inquiries are to be advertised via social media, stakeholder emails and a media release distributed to all media outlets in New South Wales;
  - (b) submissions to inquiries are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration;
  - (c) attachments to submissions are to remain confidential;
  - (d) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement;
  - (e) the sequence of questions to be asked at hearings alternate between Opposition, crossbench and Government members, in that order, with equal time allocated to each;
  - (f) transcripts of evidence taken at public hearings are to be published;
  - (g) supplementary questions are to be lodged with the Committee Clerk within two business days following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness;
  - (h) answers to questions on notice and supplementary questions are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration; and
  - (i) media statements on behalf of the committee are to be made only by the Chair.
- (5) That the committee report by 31 October 2025.

We all know the proverb "It takes a village to raise a child". This includes parents, carers, family, support networks and educators. It also includes government, because the decisions government makes and the investment it provides into services and supports has a significant impact on the life of a child. We all have a responsibility to ensure that children and families receive the support and access to services they need to assist with their child's development. We know that intervening early, when children are young and at their most developmentally responsive, will have a positive impact on future development. Failure to intervene early significantly impacts children and their families in the long term.

This is a motion to establish a select committee to inquire into and report on child development, early childhood intervention services and other foundational and disability supports available for children and young people with developmental concerns, delays, differences or disabilities in New South Wales. The committee will have three Government members; two Opposition members, one being myself; and two crossbench members, one being Ms Abigail Boyd. I will be the chair of the proposed committee and Ms Abigail Boyd will be the deputy chair. By way of background, we are all aware of the disability royal commission, the NDIS Review report and the Australian Government and State and Territory responses that were released in July this year.

In all of the reports and responses, it was recommended or agreed that increased supports are needed. To deliver this and ensure better outcomes for children and young people with developmental concerns, early intervention and access to supports and services for children and their families is critical. This inquiry is broad and addresses more than foundational supports. It needs to be, as it will examine the role and impact of services and supports on the development, health and wellbeing of children and their access to services and supports. There are gaps and barriers to accessing services and supports, and this includes workforce issues, particularly in rural and regional areas. The inquiry will look at not only NDIS services but also health services, including community nursing, allied health services and early childhood intervention.

We also know that any changes or reforms must be done in collaboration with people with lived experience and with the sector. Therefore, we will be looking at opportunities to increase engagement across both government and non-government services, including Aboriginal community controlled organisations, early learning services, educational settings and health services. "Foundational supports" is a new term, and I note that the Australian Government is working on the design and implementation of foundational supports with the aim of phasing in services from July next year. This inquiry will not duplicate any work underway. Should a model be announced next year, it will be an opportunity for us to examine what more can be done at a State level to support children and families.

We will have a Federal election in the next few months. Regardless of the result, we will have a new disability Minister as the current Minister for the National Disability Insurance Scheme is retiring. This means there could be delays due to the caretaker period, briefings and negotiations. We must be doing our own body of work for the people of New South Wales that goes beyond what the Commonwealth is doing to examine the

services and supports needed to support the development of children. We must ensure that all people with disability, including those who are not eligible for the NDIS, have the supports that they need wherever they live. We all have a responsibility to ensure that children and families receive the support that they need to assist with their child's development. I encourage all members to support the motion.

**The Hon. MARK BUTTIGIEG (20:05):** The New South Wales Government, along with relevant stakeholders and peak organisations, is opposed to yet another inquiry that will duplicate numerous findings and recommendations which are already available. This inquiry would add additional and unnecessary burdens on the community and on disability stakeholders. It would also divert efforts away from the co-design process already underway for foundational supports. Significant reform is underway to reform and rebuild early intervention and other disability services in accordance with the National Cabinet agreement of December 2023. The new services are due to commence by 1 July 2025. The select committee would spend the next 12 months inquiring into a system that will be entirely overhauled by 1 July 2025. Therefore, the inquiry's findings would be redundant by the time the committee reports.

Leaders in the early childhood intervention sector say that there is already consultation fatigue given the numerous reviews, inquiries and royal commissions on these issues. The relevant stakeholders and peak organisations expressing concern with and opposition to this inquiry include Children and Young People with Disability Australia, People with Disability Australia, Playgroup NSW, Kindred, the NSW Council of Social Service and Fams. I note that Fams has expressed concern about the delays and unnecessary over-consultation that would be created by an additional inquiry into foundational supports. We should not forget the record of the former Government. The New South Wales Government is a co-funder and co-convenor of the NDIS. This is something we take very seriously but that the former Coalition Government seemed to forget.

The former Coalition Government privatised all of the New South Wales government disability services with indecent haste and washed its hands of responsibility for supporting people with disability across the State. On the Liberal-Nationals Government's watch, the NDIS became a system which the Independent Review of the National Disability Insurance Scheme said is in need of a significant overhaul to make it work for people with disability. This is why the NDIS Review recommended the creation of foundational supports in the first place. With this motion, the former Minister for Disability Services is pretending that she is interested in finding solutions that are not already in train, to fix a problem that she and her colleagues helped create. The former Minister for Disability Services would have more credibility in this space if she had this much interest in people with disability when she was the Minister responsible for this area and could actually do something about it. The Government opposes this motion.

*[Business interrupted.]*

*Visitors*

#### VISITORS

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I welcome to the gallery this evening a former Deputy President of the Legislative Council and now Local Court magistrate, the Hon. Trevor Khan. It is good to see you here, Magistrate Khan. You are most welcome.

*Committees*

#### SELECT COMMITTEE ON FOUNDATIONAL AND DISABILITY SUPPORTS AVAILABLE FOR CHILDREN AND YOUNG PEOPLE IN NEW SOUTH WALES

##### Establishment, Membership, Chair and Deputy Chair

*[Business resumed.]*

**Ms ABIGAIL BOYD (20:09):** Seeing the Hon. Trevor Khan has distracted me from the anger I was feeling after hearing the contribution made by the Hon. Mark Buttigieg. I appreciate the speech would have been given to the honourable member to read rather than something he prepared. I have never heard something so ridiculous in my life. I have been on 50 or 60 inquiries since being in this place. I have initiated a bunch of them. Never, ever, have I been lobbied not to have an inquiry into holding the government of the day accountable.

It is absolutely appalling that the Minister for Disability Inclusion and her team have contacted stakeholders and misrepresented what this inquiry is about. They have said that it is about the National Disability Insurance Scheme [NDIS], about foundational supports. I am sorry, but maybe the Minister cannot read. The motion states very clearly the inquiry is about early intervention. I have been trying to get this inquiry up for the past five years. I am pleased to see the Hon. Natasha Maclaren-Jones spearhead this issue and bring it to the House. The motion underlines everything that is wrong with the disability inclusion Minister. She has failed to deliver anything of

substance for people with disability. I have stood here many times talking about it. She has failed comprehensively, and I am sick of being nice about it.

**The Hon. Greg Donnelly:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order! The Clerk will stop the clock.

**The Hon. Greg Donnelly:** It is a matter of practice and procedure. It is well understood in this House that members do not reflect on other members in this place or the other place, and particularly a Minister. That is precisely what is being done. The member can argue as strongly and persuasively as she likes, but she ought not reflect on the Minister who has responsibility for this portfolio. I ask you to remind her of that.

**Ms ABIGAIL BOYD:** To the point of order: That standing order relates to reflecting on the characteristics of the member, not their work as a Minister.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** There is no point of order. The member may continue.

**Ms ABIGAIL BOYD:** The Minister for Disability Inclusion has failed comprehensively to look after the 1.37 million people in this State with disability. She treats disability like a political issue. Before the House are terms of reference for a good faith inquiry to look into all of the systems and things that are failing kids across this State, particularly in rural and regional areas where people cannot get a diagnosis for autism—unless they fly to Sydney—and they cannot access early intervention services. I have a news flash for the Minister: Not everyone is covered under the NDIS. Only 10 per cent of people make it onto the NDIS.

This inquiry is not, and has never been, about foundational supports. To hear from stakeholders that this Minister and her staff have contacted them and told them that this inquiry will somehow delay their work on some tiny piece of overlapping content is so dishonest. They are misinforming those people to get them riled up and make them think that somehow this inquiry is an obstruction or is politics. The Minister has cast a political lens over something that we in this House are used to doing. We bring issues to the House and investigate them because we want good policy outcomes. I do not care who the government of the day is. This behaviour is disgraceful, and it will not be forgotten.

**The Hon. EMILY SUVAAL (20:13):** I join my colleague the Hon. Mark Buttigieg in opposing the motion. At the outset I will correct a couple of the comments that Ms Abigail Boyd has just put on record. The Government did not go to the sector. The sector came to us with their concerns. We did not approach them; they came to us. They have been over-consulted. They have been through National Disability Insurance Scheme [NDIS] reviews. They have been up hill and down dale. They saw this happening. They came to us with their concerns and we are relaying them here. We will stand with this sector. We have a Minister in the other place who, since day one, has blown the whistle—

**The Hon. Greg Donnelly:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order! The Hon. Emily Suvaal will resume her seat. I do not need to hear the point of order. The Hon. Natasha Maclaren-Jones will cease interjecting. The Hon. Emily Suvaal has the call.

**The Hon. EMILY SUVAAL:** As I was saying, from day one, the Minister in the other place has blown the whistle on the dodgy high-cost emergency accommodation plan arrangements put in place by members opposite. She has blown the whistle on—

**The Hon. Natasha Maclaren-Jones:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Clerk will stop the clock.

**The Hon. Natasha Maclaren-Jones:** This motion is about support services and the establishment of a select committee. There is a motion about out-of-home care on the *Notice Paper* that I understand the Hon. Emily Suvaal will move later on. I think the member is getting confused between the two motions.

**The Hon. Mark Buttigieg:** To the point of order: The member is directly addressing the debating points that were just canvassed. They are directly relevant.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** There is no point of order. The Hon. Emily Suvaal has the call.

**The Hon. EMILY SUVAAL:** It is offensive that members in this House have cast aspersions on my colleague in the other House, who is not here to defend herself. It is outrageous. She has worked day and night since becoming a Minister and inheriting this bin fire of a portfolio from members opposite who did nothing on

their watch. They knew about the problems with alternative care arrangements, they knew about the problems with the disability sector, and they did nothing. This sector has been over-consulted. They have come to us with their concerns and have said, "Please do not put us through another committee inquiry. We have been over-consulted."

We are working well with the sector to get in place the fundamental reforms that they need. They will be in place in July 2025. This inquiry will divert resources away from the sector, at a crucial time when it needs them most. My colleague the Hon. Mark Buttigieg spoke about the previous Government's record in this area. The Hon. Natasha Maclaren-Jones would have more credibility if she had taken an interest in people with disability when she was the Minister responsible for this area and could do something for them. It is just outrageous for the member to say that the disability inclusion Minister is covering something up. I will not stand for it.

**The Hon. NATASHA MACLAREN-JONES (20:16):** In reply: I do not know where to start. I feel for the two Government members who obviously spoke from notes that were prepared by someone else. What they have been told is incorrect. This is not an inquiry into foundational support. Unfortunately, there have been stakeholders who have been contacted today and told that this is an inquiry into foundational supports. I deliberately—

**The Hon. Emily Suvaal:** Name them. Name them!

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order!

**The Hon. NATASHA MACLAREN-JONES:** It will all come out.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I call the Hon. Emily Suvaal to order for the first time.

**The Hon. NATASHA MACLAREN-JONES:** I deliberately highlighted in my opening remarks—and it was not political—that this inquiry is not about foundational support. If the Hon. Emily Suvaal read the detail of this inquiry she would know, as Ms Abigail Boyd pointed out, the inquiry is looking at early intervention. The National Disability Insurance Scheme [NDIS] has come in. All States and Territories made a number of changes, but all are in the same situation where the support services framework, particularly for people with disability who are not on the NDIS, is not functioning as well as it could. This inquiry will give us a chance to look at it all in detail. This is not political; this is not a witch-hunt. I have been travelling around and talking to individuals, organisations and providers. They are all saying the same thing. This inquiry is not about foundational support. That is being dealt with; we know that.

It is broader than that. It is about ensuring that young people are being diagnosed early enough and getting intervention when they need it, so that not everybody needs to be on the NDIS. But most importantly, we are supporting young people with disability, their families and their carers. This select committee is about identifying where those barriers and gaps are. Is it not a political game and it is really disappointing that the Minister's office has given both the Hon. Mark Buttigieg and the Hon. Emily Suvaal stump speeches that are not even on topic. I encourage members to look at motions before speaking to them.

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

**Motion agreed to.**

### *Bills*

## **REVENUE LEGISLATION FURTHER AMENDMENT BILL 2024**

### **WITNESS PROTECTION AMENDMENT BILL 2024**

#### **First Reading**

**Bills received from the Legislative Assembly.**

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

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

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

**Motion agreed to.**

**The Hon. MARK BUTTIGIEG:** According to standing order, I table statements of public interest.

**Statements of public interest tabled.**

*Motions***SOCIAL MEDIA AND ONLINE ABUSE**

**The Hon. MARK BANASIAK (20:20):** I move:

- (1) That this House affirms its strong opposition to all forms of online abuse and the use of derogatory language, particularly on social media.
- (2) That this House notes that:
  - (a) social media platforms have become key spaces for public discourse but are increasingly being misused for the purposes of harassment and abuse;
  - (b) there is no place for online abuse or derogatory language in a respectful society; and
  - (c) online abuse can escalate into physical violence, creating real-world harm and jeopardise public safety, including that of members of Parliament and their staff.
- (3) That this House calls on the Government to acknowledge the risk of online abuse and its potential in leading to physical threats of violence and take immediate action to protect the safety of individuals, particularly in relation to members of Parliament and staff at public events.

We live in a digital age, one in which social media has opened the doors for connection, collaboration and conversation, but with this incredible tool comes a significant downside. While the internet has opened up vast opportunities for dialogue, debate and connection, it has also created a space in which online abuse thrives and the lines between the digital world and the real world can easily become blurred. I know that all too well from my former career. I can say without hesitation that probably 95 per cent of the violent incidents that occurred at schools I taught at had their genesis in kids talking smack to each other online. I do not think that is unique to schools. Online abuse is not limited to just faceless usernames. In the context of public figures, attacks can become personal and targeted, and should not be tolerated.

Using social media platforms to convey hate-filled comments or messages is more than just hurting feelings. It is a direct threat to our safety and to the work that we do in the community. As members of this House, we are no strangers to public scrutiny. Whether we chose this path or it chased us down, we understand that part of our role is to engage with the public to debate and sometimes face criticism. But what many of us did not sign up for was direct threats and untold levels of personal abuse and the vitriol that comes not just to us but to our staff, our families and those who support us in our work simply because someone may disagree with us on a policy decision. I have had it from anti-greyhound people, anti-forestry people, and I have most certainly had it from those opposed to hunting. The level of abuse speaks to serious mental health concerns, which also raises concerns about the abuse stepping outside of social media and into the real world.

Many of us have seen how abuse starts online but does not stay there. We have seen how the words on the screen can quickly escalate into something much more dangerous. It can spill over into physical threats, and into harassment and stalking in real life, which can have a profound impact. We should not have to live in fear and our staff should not have to live in fear, wondering whether the threats are idle or whether the person making them will show up at our next event, at our homes or, worse, where our kids go to school. This debate—I loosely call it a debate; it is more of a discussion, I would say—is an opportunity for us to take a strong stand and affirm that in no uncertain terms we oppose all forms of online abuse.

We cannot allow the behaviour of keyboard warriors to be normalised or to be excused simply because it happens in the digital space. Abuse is abuse, whether it is in person or behind a keyboard. Our staff are often the first line of defence. They deal with the public every day, either directly or indirectly managing communications, handling those difficult conversations and supporting us in fulfilling our duties as members to the people of New South Wales. They should not have to bear the brunt of abusive messages, yet we know that many of our staff members, who are dedicated and hardworking individuals, can be subjected to the same threats and harassment we face, simply for doing their jobs.

That is where the problem can become dangerous. We all know that online harassment does not happen in a vacuum. It has real-world consequences. It can create a toxic environment that discourages public service. It demoralises staff but, more worryingly, it increases the risk of physical harm. When individuals feel emboldened by the anonymity of the internet, it is only a matter of time before threats become actions. To anyone who thinks that this is just part of the job of being a politician, I would say that it most certainly is not. Public service is about working for the common good. It is about representing people, making decisions that impact lives and ensuring that the democratic process functions smoothly. But how can we expect the best and brightest to continue stepping up to serve if they are faced with constant abuse and threats, both online and offline? How can we retain dedicated staff when they are met with harassment for just doing their job?

I seek leave to table an example of some of the online abuse that has been levelled at people in this place and their staff. It is not aimed at me directly, but I wish to table it as an example.

**Leave granted.**

**Document tabled.**

**The Hon. MARK BANASIAK:** On that occasion, the online rant was not aimed directly at me, but I have been in the crosshairs and so have my staff. I think we need to have a serious conversation about how we protect our staff in this place. It is the people's Parliament. It is great to see members of the public wandering in here, but when there are clear examples of people who are prepared to step outside the online world and publicly make threats to your face, there is a serious question about how we manage their admittance, or non-admittance, to this place to be part of that democratic process. I commend the motion to the House.

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (20:25):** I thank the Hon. Mark Banasiak for moving the motion. I indicate at the outset that the Government supports the motion. We certainly acknowledge the risks the member has outlined, and we are really enthusiastic to work, as a result of the motion and through the channels we have established for representation—not just for parliamentarians but also for our staff—to explore what options there might be. As the member noted in his comments, there is a challenge here. This is a robust place. We just came out of a relatively robust debate, may I say. It is fair game to say to another member of Parliament, "I don't think you are doing your job very well. Your performance in your job isn't good. It is bad. It is crap." I will cop that as a member of Parliament. I am here doing a job, and this is the kind of workplace where people will tell us to our faces regularly day by day, "You're doing your job badly." That is part of what we have to accept.

**The Hon. Greg Donnelly:** And that's just from your colleagues!

**The Hon. ROSE JACKSON:** That is right—exactly. That is just from the Government side. What is not okay is what the member has described. The point of the motion and of the conversation, as he described it, is to have a collective moment to ask how we feel our way through the difference between free speech and telling each other that we do not agree with fundamental principles of the way that we are performing as parliamentarians and being okay with that, and not fostering an environment in which abuse—particularly online abuse anonymised by keyboard warriors, as has been pointed out—is normalised or acceptable. The Hon. Mark Banasiak has tabled examples of online abuse. It is very common for me to be called "a disgusting, toxic witch". One message that I received reads, "Already out of reach to those in need. When I decide upon my course of action to get noticed, you'll be a primary target." The threat there is implicit. That is an example from me, but I suspect many members would have that, or worse.

How do we create an environment that recognises the difference between "I don't want you to do your job anymore because you're not doing it well", which is fair, and "I want you to die", which is absolutely not okay. It is an important conversation that we are having. I reiterate what I said at the beginning. It is important that we pass this motion, but the Government welcomes the opportunity to collaborate through parliamentary forums and other spaces to talk about what we can meaningfully do to provide better protection and leadership, not just for members of Parliament but for the staff—and the mover of the motion mentioned this repeatedly—who are often absolutely front and centre of behaviour that is completely unacceptable. In that way, it is not a safe workplace for them. As members we try to protect them, but there is a real issue. I thank the member for bringing the motion to the House.

**The Hon. SUSAN CARTER (20:28):** I, too, thank the Hon. Mark Banasiak for moving the motion and bringing this matter to the attention of the House. It raises a really important issue. It is not a partisan issue; it affects everybody in society and is one on which we should all reflect. It is almost amazing, if you think about how often we access social media, that it has only been a part of our lives for a couple of decades. Perhaps that is one of the challenges. Like so many new things, we are struggling to know how to use it and how to use it well. We have heard too many examples in this very debate of when it has been used in a way that is harmful, spreads danger and concern, and is used to threaten. It is very important that we think about how this great tool is used appropriately.

Perhaps one of the great challenges of social media is that it is asynchronous. We are used to talking to somebody and hearing straight back from them or reading their facial expression. If we have misspoken, if we have gone from zero to 100 too quickly, we get immediate feedback from the other person. But not on social media. We send messages out into the ether. Social media is a tremendous tool for connection, but it depersonalises communications because we stop seeing the person who is at the end of those communications. That can be the only reason for the material that was tabled tonight, the threats that the Minister mentioned. In a civil and civilised

society, it can be the only reason why people would think it appropriate to be saying that to other people, because there are ways of expressing concern and there is completely overstepping the mark.

The challenge of social media is that we do not see to whom we are speaking and can forget about the impact of our speech on that person. We forget about our responsibility to exercise that precious freedom of speech well. We do not see the consequences of expressing our derogatory opinions, which does not mean that we lose the right to express concern or to say, "I completely disagree with you." But in a civil society, which we all hope that we live in, it has to be done with fundamental respect towards the other person. My right to speak freely is predicated on my respect of the person to whom I am speaking. The challenge of social media is that too often we are losing that respect. We will not find the answers tonight, but we will never find the answers unless we start asking the questions. The motion is very important and I am happy to support it.

**The Hon. CAMERON MURPHY (20:31):** I associate myself with the motion and commend the Hon. Mark Banasiak for moving it. It is such an important issue because, as has been said, often it is staff, ministerial staff and staff of members of this Chamber and the other one that bear the brunt of absolutely outrageous behaviour of keyboard warriors that want to engage in random abuse. I contribute to the debate by reading something that was sent to me on 29 June 2023. It may be unsurprising that I get death threats regularly because I do take strong views on things from time to time. But this one, weirdly, was to the Hon. Wes Fang and me. To quote, it states:

Fuck the New South Wales Legislative Council because all my homies hate the New South Wales Legislative Council.

There are pictures of Wes and me with crosshairs on them and a message saying, "I'll track you down and I'll kill you", that sort of stuff, in a series of other posts. The unfortunate thing is that these people hide. They are cowards. They will not publicly say something—although you never know because it is that sort of behaviour and abuse that can, from time to time, lead to more insidious action. We need to do more to stamp it out. We need to be aware of it.

There is no place for that sort of unacceptable behaviour. Everyone who does it has to bear personal responsibility for their actions. Nobody should engage in that sort of behaviour. It is never acceptable. We need to do more collectively, working together, to ensure that we hold social media platforms to account for allowing that type of behaviour to go completely unchecked. We hear promises from them all the time that they are doing their bit, or that free speech is hugely important to them, but they have a responsibility as corporate citizens in society and they need to do more. I commend the motion to the House. It is a very important issue and something that I think will receive a great deal of support.

**Ms SUE HIGGINSON (20:34):** I want to make a few comments, which I would not normally do but it is very hard not to, in regard to the mover of the motion, the Hon. Mark Banasiak. Of the last 14 "Wacky Wednesdays", which are regular posts on the mover's social media page, 13 have been levelled against women. Of 13 social media posts, seven have targeted the Hon. Emma Hurst. The comments on these types of posts include pejorative comments about mental health and one comment suggested that the Hon. Emma Hurst should be locked in a cage with a wild boar.

Members elected to this place are here to represent perspectives of people who vote for them and generally most of us put forward positive visions for the future. We all have diverse views about what is important and what we bring to this place. But to know that some of us are then the subject of social media toxic rhetoric that then gets posted through this "Ha-ha Wacky Wednesday" seems to be quite wrong in terms of the motion before the House. We take the motion on its merit. I suggest that the mover takes out the word "particularly" and inserts "including" because it is absurd to think that members of Parliament should be more special than other people. But, seriously, the hypocrisy here! I hope that the mover brings the motion with some level of self-reflection.

The Sydney Marine Park debate that took place in 2018 included thousands of supporters of the Shooters and Fishers on the Facebook page of the group, Stop the Lockout. They were sharing information about staff of members of parliament, which resulted in death threats against staff, who are still in this building, who are still working and who are listening right now. I remind the mover that elected representatives of the Shooters stood in front of signs with shooting targets drawn on the faces of members of this Parliament and then posted those to social media. It is very important that when we bring these motions we come to this place with the cleanest possible hands and that would be doing all of us a favour.

**The Hon. SAM FARRAWAY (20:37):** I do not think The Greens have clean hands in that space. Moving on, I was not going to contribute to this debate, but I heard the mover of the motion, the Hon. Mark Banasiak, speak for his five minutes and raise a lot of good points. No-one should tolerate social media abuse or bullying that jeopardises their career at all. But the reality is that, in politics, you have to have a thick skin. It is rough and tumble, and it is not a normal job. A lot of people have approached me. They see the vitriol on social media towards all of us, to be frank, but locally, in my home area, they see the way people carry on. For a very long



time, I dealt with customers in the private sector. I have pretty thick skin and I brush it off. What concerns me is that a lot of people are not wanting to participate in politics. Our future leaders see this happening with their own eyes in community pages. They see the vitriol that comes from policy ideas or different points of view, or the majority view that the minority do not like. That concerns me.

The second part is that staff should be protected. They are the front line for all of us, and they should not be abused or feel threatened in their workplaces for trying to look after their bosses. Most of the staff in this building believe in us and they believe in this place and what we do. The issue is when the keyboard warriors physically come into this place. We saw what happened during and after the Hon. Bronnie Taylor's valedictory speech. As a member of Parliament, she had been constantly bullied, abused and subjected to sexist remarks by a particular individual. To have to then face that person in the foyer of this place that day was not great. Her colleagues, myself included, jumped to action and the Usher of the Black Rod did a fantastic job to resolve the situation.

There are mechanisms and processes in place to protect members and staff from that kind of behaviour, but they failed that day. It is a conversation not only for the Government but for Parliament and its Presiding Officers into the future because, whether we like it or not, politics is changing. I am experiencing it now, with leaving this place soon and with what I am setting out to do. We will soon see what happens in America. I really hope that, whatever happens, it does not influence Australia. But the reality is that when the keyboard warriors turn up face to face, members and staff need to be sure that they will be protected. If we want more good young people in politics, we have to give them better protection.

**The Hon. EMILY SUVAAL (20:40):** I contribute to debate in support of the motion moved by the Hon. Mark Banasiak. I have spoken several times over the past two sitting weeks about social media and its impact on people. The Social Media Summit was held recently, which brought a lot of issues to the surface. I have spoken about the impact of algorithms on people and also the tools that social media companies have at their disposal to minimise and mitigate online abuse.

Social media companies have access to large language models, an artificial intelligence technology that can be used on text-based content to identify and remove harmful content. There is no excuse for those platforms to leave language and content such as that which we heard from Minister Jackson, the Hon. Mark Banasiak and The Greens. None of that should be online. The same technology is emerging for visual content as well. TikTok is doing work with large language models that can identify harmful visual content, such as manosphere content, which is the glamourisation of guns, weapons and violence and so on. That technology is available to social media companies, but they have chosen not to implement it at this point. I am looking forward to our colleagues in the Federal Government being able to do more to hold social media companies to account.

In his contribution, the Hon. Sam Faraway suggested that someone needs a thick skin to be a member of Parliament, but I do not consider myself as someone who has a thick skin. Maybe that means that I should not be here. I do not think that narrative helps because saying that normalises the behaviour that we are exposed to. It suggests that we should just brush it off, but that is not okay. My husband has just been through a local government campaign, and I had all sorts of horrible things said about me in my role and about my family. Pictures were posted online. It was horrible. I do not have a thick skin and I do not find it acceptable in any way, shape or form that people should treat members in this place, their staff or anyone in the way that some people on social media do.

**The Hon. EMMA HURST (20:44):** I speak in support of the motion moved by the Hon. Mark Banasiak. I support the message put forward in the motion, but I find it odd coming from the Hon. Mark Banasiak, particularly given he is a member of the Shooters party. Some of the most aggressive posts I have seen that target female MPs were from MPs within that party, although not from him specifically. I am not going to repeat what those posts said but they were difficult to read.

As for me, a couple of years ago the Shooters party put a fake news campaign out about me. It was completely fabricated but it led to my office being completely inundated with death and rape threats for weeks, many of which were so grotesque that I cannot repeat them here. However, to give an idea, some examples are "You should have been shot on the sheets," "Can someone kill you?"—that is an outright death threat—and "Your mother should have been handed a coathanger before you were born." The most horrible part about it was that an MP told me that he had spoken to the Hon. Mark Banasiak about it, asking, "Do you realise that her office will be receiving all these death threats?", to which the Hon. Mark Banasiak laughed and answered, "That's the point." I am happy to hear his response to that. That was really shocking to me. One of my staff—and I am sure she will not mind me saying—ended up having to get counselling after receiving all those death threats and rape threats for such a long time. It was a really difficult time.

I am someone who can take a joke. I am someone who can debate policy, and I understand that obviously the Shooters and the Animal Justice Party have completely different platforms. We are always going to have arguments and have that banter, and that is fine. I do not mind if they make a joke about our policies or have a jab. When we are on committees together, we get along fine. Everything that we put up on our social media pages has an effect. I also support the comment made by the Hon. Emily Suvaal that we do not need a thick skin. Being an emotionally capable person is actually a strength in this place, because so often we hear from people in the community that are going through some really difficult times. I do not say that as a criticism of the comment made by the Hon. Sam Farraway. I understand that we need thick skins in certain situations to be able to debate policy, but we do not need thick skins when it comes to listening to the people in our community. We need to be able to relate to people so we can feel those emotions and bring them back into the House.

**The Hon. JACQUI MUNRO (20:47):** I thank the Hon. Mark Banasiak for bringing this motion to the House and the members for their contributions so far, although some of them were extremely harrowing. It is appropriate that we hear the honesty from members who have experienced the direct effects of poor online behaviour and bullying. It is not acceptable, and we take a stand in this place. We also call on our leaders, particularly in the Government, to act on those incidents. If similar incidents are being experienced by people in this place, who have a pretty significant amount of power in the world, then they are certainly being experienced by people who do not have the kind of power and platform that we have.

This discussion is all about power. It is about political power and the power of technology companies. We have heard about algorithms from the Hon. Emily Suvaal, which is a very important point. If Facebook removed the ability for posts to be shared more than twice, there would be a significant, demonstrable reduction in the misinformation and disinformation that is propagated online. It is such a simple act, and it could be achieved with appropriate regulation, legislation and conversation with the social media companies, which, let's be frank, are there to make money. That is fine, but if they are exploiting individuals by ensuring maximum outrage, allowing hate speech and deep fake images and videos to be propagated and become more common, that will particularly impact women. We know that is already happening all around the world.

There is a sexualisation of women that happens through deepfakes. It is disgusting. It amplifies the worst kinds of interactions that we think about when we consider our communities. Those spaces might seem like they are in the ether, but they are so real in our psyches that they will and do cause harm. We must act. We must speak to technology companies and impose the kinds of regulations that will protect people from misinformation and disinformation. We are not equipped for the coming wave of artificial intelligence. We are not equipped psychologically, legislatively or socially to deal with those issues. That is what I call on the Government to do.

**The Hon. NATASHA MACLAREN-JONES (20:50):** I was a Whip in this place for six or seven years. Part of that role is to object on a regular basis to motions put forward because you want to debate them, or for different reasons. There was one most disturbing motion that I objected to where a member—and it is no-one in this Chamber at this time—used their party to generate hate, saying that I should die with X, Y and Z. The abuse that my staff sustained at that time was outrageous. All members have a responsibility to highlight not only the internet providers but also our role as leaders and what we might say to our own party members as well.

[*Business interrupted.*]

*Business of the House*

## CONDUCT OF BUSINESS

**The Hon. TARA MORIARTY:** In accordance with Standing Order 94, I move:

That the time for debate on this motion be extended by six minutes.

**Motion agreed to.**

*Motions*

## SOCIAL MEDIA AND ONLINE ABUSE

[*Business resumed.*]

**The Hon. STEPHEN LAWRENCE (20:51):** I make a brief contribution to the debate. I still remember the first time that I was subjected to online trolling. It was shortly after getting involved in politics in 2015, when I ran to represent the State electorate of Dubbo. It was a jarring experience to be subjected to quite extreme abuse. Regarding the issue about developing a thick skin or not, I do not want to suggest that people have to get used to conduct lest it be thought that I approve of the conduct. In terms of my personal experience, I have had to develop a thick skin. That is a reality.

**The Hon. Sam Farraway:** You give it out pretty well.

**The Hon. STEPHEN LAWRENCE:** With respect to that interjection, I think members need to differentiate between what is given out in normal political discourse and abuse and threats. They are very different things and should not be confused in the debate.

**The Hon. Sam Faraway:** One leads to another.

**The Hon. STEPHEN LAWRENCE:** One can lead to another; that is true. It is important for members to be mindful of their posts. They have an obligation to monitor comments as well. If obnoxious comments are being made, they become part of what a member is hosting. We all have our limitations in terms of monitoring and so forth. There will not necessarily be a standard of perfection. It is important to differentiate between abuse and threats. I do not condone abuse and I am not saying that there might not be algorithmic ways of dealing with it, but it is a part of life and part of the indirect interactions that people have on social media. Threats are a completely different thing. I recall being subjected to a serious threat online towards the end of my local government career. It did not affect me as much as it affected my partner. It led directly to me not standing again. I could have made a complaint to the police about it.

All members should be aware that it is a relatively serious criminal offence to use a carriage service to menace, harass or offend. It is in the Federal criminal code. It has been interpreted by the High Court to mean that it has got to be a criminal level of offence, menace or harassment, but it is there. Again, it is a balancing act: Does one want to interact with the person who has made those threats by making a complaint to the police that then draws them into being a complainant in a matter? Is that person realistically an ongoing threat or has that person just said something that they ought not have said? They are difficult questions. I do not think answers come out of this debate, but it has been good to hear members show their human side by sharing how social media abuse affects them.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (20:54):** I thank the Hon. Mark Banasiak for bringing the motion to the House. I am conscious that others want to speak, so I will be brief. I wanted to associate myself with the motion and put my views on the record. I cop abuse pretty much every day in relation to my portfolios. As Minister Jackson outlined, all members of this place accept that people are entitled to give feedback. They are entitled to give commentary about performance, about views, about decisions that the Government makes and about decisions that I make as a Minister. That is not a problem whatsoever. All members welcome feedback, even when it is not so nice, but the point of the motion is quite different to that.

The Hon. Stephen Lawrence is right to say that there is a difference between abuse and threats. I also receive threats. I receive death threats and all kinds of threats, which I take seriously. I take some threats more seriously than others; some are more concerning than others. I am concerned when it crosses into my office and my staff because staff should be off limits. They do not have an opportunity to respond in the same way that members do. That is a matter that needs to be taken seriously.

I say to people who engage in that behaviour that feedback on decisions is absolutely welcome in whatever way they want to put it. Whether on the right or the left, people who provide commentary that crosses the line, say stupid things, spread abuse and make threats do not get listened to. They undermine their cause and the message that they are trying to send to Ministers like me, to the Government, to the Opposition, to any party, to any member of this place, to the public or to people that they are trying to convince of their point of view. It gets lost and becomes pointless. Instead, it becomes about abuse and violence, and that misses the point that anyone is trying to achieve. People should think about it. They can provide feedback, but if they make threats to people, they are either going to be ignored or will have action taken against them. Again, staff should be off limits.

**The Hon. MARK BANASIAK (20:57):** In reply: I thank members for their contributions. I always find the Hon. Susan Carter's comments on social issues thoughtful and insightful. I thank the Hon. Rose Jackson for her comments and the Hon. Cameron Murphy for his comments. Ms Sue Higginson acknowledged that she does not see the satire in my "Wacky Wednesday" posts. I note that males have equally been highlighted for some of their funny motions. It is satire, but I acknowledge that some may not see it as satire. There is a difference between that and what we have talked about in terms of abuse and threats.

The Hon. Emma Hurst made comments regarding a conversation she had with a member of Parliament. I would suggest that is potentially a fabrication from that member of Parliament—not from the Hon. Emma Hurst. I do not recall a conversation with any member about that. If that was brought to my attention, I would be quite disturbed that that was the result. The Hon. Stephen Lawrence made a good point about the need to monitor comments. We struggle with that on social media. We post something, we get busy and we do not necessarily see all of the comments. Facebook does not even notify us of those things sometimes. That is not an excuse, but it is something that everyone needs to work on.

I acknowledge the Hon. Sam Faraway's contribution. It was disturbing to see the incident around the Hon. Bronnie Taylor's valedictory speech. That was part of the reason why I raised the point about how abuse can spill over into this place. It was just one example of where something went a bit awry. Members need to be mindful of that. I thank Minister Moriarty for her comments, as well as the Hon. Emily Suvaal, the Hon. Natasha Maclaren-Jones and the Hon. Jacqui Munro. It has been a very insightful conversation. We all need to be mindful of and keep a watchful eye on how social media and artificial intelligence develop, and continue the conversation on how we can utilise them in a positive way.

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

**Motion agreed to.**

### TAIWAN NATIONAL DAY

**The Hon. CHRIS RATH (21:00):** I move:

- (1) That this House notes that the United Nations resolution 2758 of 25 October 1971:
  - (a) does not establish the sovereignty of the People's Republic of China over Taiwan; and
  - (b) does not determine the future status of Taiwan with respect to the United Nations, nor Taiwan's participation in United Nations agencies or international organisations.
- (2) That this House acknowledges:
  - (a) a reception of the 113th National Day of the Republic of China (Taiwan) took place on Thursday 3 October 2024;
  - (b) the following members of the Australian Parliament were in attendance:
    - (i) the Hon. Paul Fletcher, MP; and
    - (ii) Senator David Shoebridge.
  - (c) the following members of the New South Wales Parliament were in attendance:
    - (i) the Hon. Rod Roberts, MLC;
    - (ii) the Hon. Anthony Roberts, MP;
    - (iii) Ms Robyn Preston, MP;
    - (iv) Mr Tim James, MP;
    - (v) the Hon. Chris Rath, MLC;
    - (vi) the Hon. Jacqui Munro, MLC;
    - (vii) Mr Matt Cross, MP;
    - (viii) the Hon. Susan Carter, MLC; and
    - (ix) Mr Jordan Lane, MP; and
  - (d) the event reflected Taiwan's commitment to democratic values and participation in the global community, which would be better served by greater inclusion of Taiwan and its almost 24 million people.

I stand with Taiwan because Taiwan shares many of Australia's values, including democracy, freedom, human rights and peace as the global norm, which is all too threatened in the world today, particularly in the Indo-Pacific region. I move this important motion, which is similar to the one passed with bipartisan support in the Australian Senate in August this year, because Taiwan represents many of the same interests as the Australian Parliament, and indeed this Parliament, including a commitment to self-determination, democracy and the right to free and fair elections.

I say this as recently I was honoured to attend, as so many members of this place and the other place were, the celebration of the National Day of the Republic of China (Taiwan) and speak on the important role that Taiwan plays as a friend to Australia. I was also privileged to go to Taiwan in June this year. Australia maintains strong economic ties and shared liberal democratic values with Taiwan. It is one of Australia's top 10 two-way trading partners, worth about \$33.6 billion, and is the sixth-largest destination for Australia's exports, worth around \$23.5 billion. Australia is also Taiwan's largest energy supplier.

More importantly, Taiwan is a beacon of democracy and liberty in its region. Democracy is truly a fragile thing. Liberty is truly a fragile thing. The world is currently engulfed in multiple kinetic wars and an axis of totalitarianism is forming. We must stand up for the survival of democracy and liberalism abroad. An essential part of doing so is restoring the interpretation that Taiwan can engage with international bodies and preventing its delegitimisation. It is of great importance to refute Beijing's misinterpretation of United Nations resolution 2758 on 25 October 1971 and justify the participation of Taiwan in UN agencies and beyond.

Let us be clear: The People's Republic of China [PRC] conflated the resolution with its one-China principle. The resolution actually does not mention Taiwan or its political status. It does not establish the People's Republic of China's sovereignty over Taiwan, and it is silent on Taiwan's status in UN agencies. What it does establish is the right of the PRC to represent China to the UN, not to establish the one-China principle as a matter of international law.

Australia's own one-China policy is a longstanding bipartisan approach, which facilitates official ties with China and close unofficial ties with Taiwan. However, it is an error to assert that resolution 2758 establishes PRC sovereignty over Taiwan. Those ideas are not in contradiction. Currently about 24 million Taiwanese people are not represented in the UN and its specialised agencies. As I mentioned, UN resolution 2758 clearly does not preclude Taiwan's meaningful participation in the UN system. As UN Deputy Secretary-General Amina Mohammed put it:

... exclusion of anyone holds back the goals ... Every person matters, whether it's Taiwan or otherwise ...

For example, Taiwan can provide meaningful support to the World Health Organization and as an observer in the World Health Assembly. We saw during the COVID 19 pandemic that health has no borders. Taiwan was a net exporter of critical health infrastructure and equipment supporting other countries, especially in the Pacific, in their treatment and control of COVID-19. Repeating something many times does not make it true, and it is not true that PRC has a sovereign right over Taiwan from that resolution. A potential conflict justified by imprecise language would be catastrophic, even for Australians. Let us stand with democracy and self-determination. Let us take a stand against the bullying and intimidation of the Chinese Communist Party. Let us stand with the only correct interpretation of the UN resolution.

**The Hon. MARK BUTTIGIEG (21:05):** I move:

That the question be amended by inserting after paragraph (2):

(3) That this House further notes that:

- (a) Australia has a longstanding and bipartisan position that recognises the Government of the People's Republic of China [PRC] as China's sole legal government and acknowledges the position of the PRC on Taiwan, and
- (b) Australia maintains unofficial contact with Taiwan, promoting economic, trade and cultural interests.

I lead for the Government on the motion. United Nations resolution 2758 was passed on 25 October 1971. It recognised the international standing of the People's Republic of China [PRC] as the only legitimate representative of China to the United Nations. The motion meant that the seat occupied by the Republic of China (Taiwan) in the United Nations General Assembly and Security Council was given to the PRC. It is important to note United Nations resolution 2758 does not mention Taiwan or address its political status. Therefore, resolution 2758 does not establish PRC's sovereignty over Taiwan. Following the passage of resolution 2758 in 1971, Australia established diplomatic relations with the PRC in 1972. Australia's Joint Communiqué with the PRC recognises the Government of the PRC as China's sole legal government. The communiqué does mention Taiwan. However, it does not determine Australia's position in terms of Taiwan's sovereignty.

What it does acknowledge is the position of the PRC that Taiwan is a province of the PRC. That has been the position of every Australian Government towards China and Taiwan for the past 50 years. It is important that Australia's longstanding and bipartisan one-China policy is clearly understood and not misrepresented. To that end, the Government moves an amendment that clearly states Australia's bipartisan position in relation to China and Taiwan. I note that last year one of the first events I attended as Parliamentary Secretary was Taiwan's trade mission to Sydney. I also attended last year's national day event. I have also attended events by the PRC. It is important that we articulate the bipartisan position of both recognition of China and recognition of China's position in respect of Taiwan. I commend the motion, with the amendment, to the House.

**The Hon. JEREMY BUCKINGHAM (21:08):** It is the first time I have talked on the issue of relations between China and Taiwan. From the outset I say that the biggest threat to security in East Asia is not the one-China policy; it is the one-child policy. If people are paying attention to developments in East Asia, they would realise that war between Taiwan and China will never happen because it is mutually assured destruction. The United States Pacific fleet is parked off the coast of Taiwan and would nuke China in 30 seconds. China would fire back, causing a global apocalypse. It is never going to happen. China will never launch an attack on Taiwan because doing so would devastate its own economy and the global economy. The reality is that the biggest threat to stability in that region is a collapsing population and economy in both Taiwan and China. According to Nicholas Eberstadt from the American Enterprise Institute, China and Taiwan are in population collapse and that is going to destabilise their economy right now.

China's recent stimulus package was aimed at low workforce participation by young people in China. That low workforce participation is not because there are no jobs; it is because there are no young people in China. Its

population dropped by one-quarter of 1 per cent in one year last year, and Taiwan's population dropped by one-half of 1 per cent. In one year, Taiwan's population dropped by 100,000 people and China's population dropped by 3.5 million people. Every country in East Asia is in population decline. What do they spend their money on? They cannot spend it on infrastructure stimulus to grow their economy, because their people are not going to be there.

In fact, almost all of Asia now has fertility rates that are below replacement levels. Rates in Taiwan and China are below one child per two people. That is going to destabilise their economies going forward and send economic shock waves through this region and the world like we have never seen. The whole world is depopulating, apart from Sub-Saharan Africa and parts of the Middle East. Europe and Asia—even Thailand, Indonesia, Bangladesh and India—are now below replacement levels. China's economy will collapse because of the one-child policy and depopulation. That is what will destabilise it, not some threat of war between Taiwan and China. [*Time expired.*]

**The Hon. NATASHA MACLAREN-JONES (21:11):** I support the motion and thank my colleague the Hon. Chris Rath for bringing it forward. The motion reminds us of the shared values and democratic principles of Taiwan, and the importance of Australia-Taiwan engagement in democracy, trade and international participation. One hundred and thirteen years ago, a group of aspiring young people rose in revolt and toppled the imperial regime of China. Their dream was to establish a democratic republic of the people, to be governed by the people and for the people. Their ideal was to create a nation of freedom, equality and benevolence. When I travelled to Taiwan a number of years ago, those ideals were very much alive, and they still are today. I was struck by the unwavering tenacity of Taiwanese people that I observed, particularly their enduring faith in themselves, their fellow citizens and their institutions. I was also struck by the link between the Taiwanese national identity and democracy; the rich tapestry of traditions, customs, language and culture; and the vibrancy and warmth of the people.

I believe Taiwan is a remarkable example of democratic heroism. Forty years ago, Taiwan was still under martial law—the longest period of martial law imposed at the time. There were no political parties, human rights or free speech. Citizens were tried in military courts, information was controlled and there was no freedom of expression. Just under three decades after its first democratic presidential election, Taiwan has emerged as one of the world's strongest democracies, which I find even more commendable given it has faced the existential threat of war for much of its modern history. At a time when many Asian democracies are backsliding and authoritarianism is on the rise, Taiwan has achieved free, fair and competitive elections, and every election has seen the losing party concede defeat and support a peaceful transfer of power.

Civil liberties, including freedom of expression, religion and press, are protected. Taiwan has worked to strengthen the durability of its democratic governance by addressing weaknesses—namely, political corruption, rule of law, political polarisation, institutional defects and mass values. Those efforts have been recognised by numerous democracy indexes. Earlier this year, Taiwan was given a global freedom score of 94 out of 100 by Freedom House, an independent watchdog organisation dedicated to the expansion of freedom and democracy around the world. That ranks it as the second freest place in Asia. I commend the motion to the House and, again, thank the member for moving it.

**The Hon. JACQUI MUNRO (21:14):** I do not think that tonight we will solve the legal question of the United Nations requirements for a nation and whether Taiwan should be considered a nation, although I think it should be. The UN is recognised as a body that is required to keep peace throughout the world, to develop friendly relations among nations, to help nations work together, to be a centre for harmonising the actions of nations and to achieve the goals of reducing hunger, disease and illiteracy. The UN should be focused on those things. If we take the declarative theory of nationhood, then Taiwan certainly meets the definition of a state, which includes a permanent population, defined territory, government and capacity to enter into relations with other states. Those principles were established in 1933 by the League of Nations, the precursor to the UN. If the UN is serious about upholding those values, then Taiwan's status as a nation should be recognised in that very important forum, which represents individuals, states and good order and harmony between countries throughout the world. That is the fundamental thing.

Regardless of previous legal rulings or interpretations, let us start to look at how the UN can be a functional body that achieves its stated aims. That means recognising that Taiwan—along with Japan and South Korea—is an important democratic nation with values very similar to our own. I have spoken about the process of democratic elections in Taiwan being very robust and the wonderful mix of manual methods and technology that they use. Taiwan holds a valuable place in the world, as a functioning country with an incredible economy and democratic system. That economy is home to 50 per cent of the globe's production of semiconductors. It is incredibly strategically important as a place. We rely on countries like Taiwan to remain stable, free and prosperous, if we are serious about ensuring that we have a world that also has all those qualities. Regardless of the legal arguments, the principle and the value that we should be bringing to this debate is to ask the UN to be functional.

**The Hon. ANTHONY D'ADAM (21:17):** I welcome the opportunity to speak in this debate. I went to China in 1987 as a young man. It was at a time when China was coming out of the period of domination by the Gang of Four. It had been about 10 years since the fall of the Gang of Four, and society was clearly in transition. Because it had been quite a closed country, there was still a residual hostility to people from outside of China and to Westerners in particular. It was interesting to try to delve into the mindset that underpinned that hostility. The history of China is a history of domination by Western countries and imperialist countries. The process that started at the beginning of the twentieth century was one of China throwing off the shackles of domination of foreign powers. That is a critical current of thinking that exists in China.

The question around Taiwan is a complicated one. We should be very careful not to get drawn into a binary discourse that is informed by the prerogatives or imperatives of the United States, its foreign policy and its anxieties about the rise of China, using Taiwan as a proxy to progress its hostility to the emergence of China as a competitive power on the global scene. The relationship with Taiwan, certainly within Chinese society, is seen as the final step in the process of throwing off a foreign influence on Chinese domestic policy. Historically, Taiwan has been a part of China. Taiwan's population is Chinese, and there is disagreement within Taiwanese society about whether it should be independent or whether its future is with China. We should be very careful about buying into what I think is ultimately a domestic question for the Chinese people to determine. [*Time expired.*]

**The Hon. DAMIEN TUDEHOPE (21:20):** I welcome the opportunity to speak on this motion. We in this House are often criticised for seeking to get involved in what appear to be foreign affairs and setting ourselves up as a quasi-United Nations determining body.

**The Hon. Anthony D'Adam:** It's Chris Rath. Chris Rath is responsible for 80 per cent of the foreign policy motions that come before the House.

**The Hon. Mark Buttigieg:** He is! He's the secretary-general.

**The Hon. DAMIEN TUDEHOPE:** I acknowledge the interjection, because he would make a fine secretary-general. He would certainly do better than the current incumbent, let me tell you. New South Wales conducts a serious relationship with Taiwan. It is a trading partner that contributes to the New South Wales economy, and our relationship with Taiwan has always been one of economic solidity. Our friendship with Taiwan requires us, as a Parliament, to say on behalf of the people of New South Wales that we want to maintain good relations with Taiwan. The problems that always get inserted into this debate are from those who have a world view that they want to bring to the debate and who want to make decisions about right and wrong in a three-minute parliamentary speech. They want everyone in the world to take notice of the fact that they are wise heads who have determined those things.

But there are some important things that we all agree on, like the principles of democracy and supporting countries that have democratic elections. Why would we not do that? We support those countries that give precedence to free speech and the freedom of individuals to determine the outcomes of their own lives. Those are principles we can agree on, and we ought to be supporting relationships with countries in our region that support those principles. That is why supporting an event like the national day of Taiwan is not necessarily a criticism of China, but it says that this is a country that we have an important trading relationship with. We acknowledge the relationship we have with Taiwan, and it acknowledges the great friendship it has with the people of New South Wales. I notice on the list of those who attended that there was no-one there on behalf of the Labor Party, but David Shoebridge represented The Greens and the Federal Parliament's position. Members should support this motion.

**The Hon. RACHEL MERTON (21:23):** I support the motion moved by the Hon. Chris Rath, and I rightly acknowledge the importance of United Nations Resolution 2758 of 25 October 1971 and its implications for the debate we are having here today. Reaffirming some of the views that have been put on record, it is critical to recognise the resolution addressing the representation of China within the United Nations. It did not and does not establish the sovereignty of the People's Republic of China over Taiwan. Furthermore, it does not determine the future status of Taiwan in terms of its participation in the United Nations or other international organisations. It is important to outline that distinction here tonight.

I remind the House that Taiwan stands as a testament to democratic governance in a complex region. Taiwan's commitment to democratic values, freedom of speech and the rule of law reflects its vibrant and open society. Those values are a core part of the global community, and Taiwan's active participation in international affairs only strengthens those principles. I also recognise that Taiwan continues to be a responsible member of the international order, and it is important to recognise its contribution in terms of public health, technology and global security. As a member of Parliament, like many others here, I have had the privilege of attending many events organised by Taiwanese organisations. I have met firsthand some of the business leaders and seen their contributions, their expertise and their trading relationship with New South Wales.

Earlier this year, in this Chamber, I condemned the standover tactics and intimidation that several members of this Parliament received after attending functions relevant to Taiwan. I put on record that the intimidation tactics that took place were completely unacceptable and that members of Parliament should not have to experience such tactics while carrying out their role. I affirm the importance of Taiwan's participation in international affairs. Its contribution to health, technology, governance, trading relationships and the global community would be far better—*[Time expired.]*

**The Hon. STEPHEN LAWRENCE (21:27):** It has been interesting to hear this debate. I am far from an expert on Taiwan, but, like others, I will not let that stop me from making a brief contribution. I note all that has been said about the democratic values of Taiwan, and I was pondering if we went back four decades or so to a time when Taiwan was living under a dictatorship, what the Liberals would have been saying then. I suspect that their enthusiasm for Taiwan would have been exactly the same, and it would have been the same for the Republicans in the United States also. They always loved Taiwan. At that time it was all about communism, and they did not care if Taiwan was a democracy or not. They did not care that the people in Taiwan did not have the rights that are now being extolled, like the right to free speech, to vote and so forth.

We need to look a bit deeper. This motion pays tribute to the democratic values of Taiwan, and a lot of the debate that we are having and the political commentary we read about Taiwan might be clothed in those issues. Our relationship is put forward as being about democracy, but I think we all know it is not really. I hate to raise it, because I do not think it has been raised this Wednesday, but it is a little like Israel. Support for Israel from members opposite is continually clothed in rhetoric about democracy. We know that it is not about that, because millions of Palestinians are disenfranchised under Israeli rule and the members opposite do not care a jot. I do not disagree with the motion in various respects, but I want to call out that it is not about shared democratic values. Whether they exist or not, it is not about them. It is about geopolitics. It is about China.

I echo some of the things that the Hon. Anthony D'Adam said. Political parties need to be careful about hardening views and taking positions on such a complex issue. We do not know where it is going. If it goes in certain directions that have been spoken about, Australia will have to make a lot of hard-headed, strategic decisions. The Opposition speaks rubbish as though the issue is all about shared democratic values. That will not assist Australia in making those decisions because that is not what it is really about—just as it is not about that in the case of Israel. Why not be honest about it?

**The Hon. SCOTT FARLOW (21:29):** I support the motion of the Hon. Chris Rath and celebrate the 113th National Day of Taiwan. I also note my concern about the current encirclement of Taiwan by the People's Republic of China.

**The Hon. CHRIS RATH (21:30):** In reply: I thank all members for contributing to this Wednesday open mic night. We are all foreign policy experts on a Wednesday evening in the Legislative Council. In many ways, we are in agreement. Members all agree—as the Australian Senate agreed—with United Nations Resolution 2758. The only difference is between the emphasis in my motion versus the emphasis in the Government's amendment. However, we agree with that resolution. We agree that the People's Republic of China [PRC] is acknowledged as the legitimate government to participate in the United Nations, but we also agree that Australia is to maintain contact with Taiwan. That is of great importance economically but also in terms of shared values.

We also agree that the resolution does not prohibit Taiwan from participating in important international organisations and institutions like the World Health Organization, the World Health Assembly and other forums. That particular resolution, which members all agree with, does not establish the PRC's sovereignty over Taiwan. The difference is that Taiwan plays by those rules, but China does not because it wants to annex Taiwan. Opposition members think it is important to put more emphasis on the fact that Taiwan plays by the rules and that we have shared values of democracy, freedom and human rights. We emphasise that Taiwan wants to live peacefully in the Indo-Pacific region, but it faces an existential threat.

The Opposition does not particularly love the Government's amendment. I can see what the Government is trying to do with some tricky language, but there are huge concerns about China trying to annex Taiwan and not playing by the rules that were established in 1971. China has not exactly been a good citizen globally nor internally when it comes to things like its human rights record, its surveillance state or its treatment of Christians, the LGBTI population, the Uighurs or Falun Gong. China has not been good on a whole range of fronts. The Opposition puts more emphasis on its support for Taiwan. We do not support the amendment, but we do support the motion. *[Time expired.]*

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The Hon. Chris Rath has moved a motion, to which the Hon. Mark Buttigieg has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**



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

**Motion as amended agreed to.**

### **DENTAL CARE ACCESS**

**Dr AMANDA COHN (21:34):** I move:

- (1) That this House notes the Australian Institute of Health and Welfare data, released on 18 October 2024, on the topic of oral health and dental care, indicated that:
  - (a) more than 87,000 hospitalisations for dental conditions nationally could have been avoided with earlier treatment in 2022-23;
  - (b) more than 30 per cent of patients had delayed or avoided dental care in the previous 12 months, with cost being a major factor; and
  - (c) the highest rate of potentially preventable hospitalisations for dental conditions were among children aged between five to nine years old.
- (2) That this House notes that inaccessible dental care and poor oral health can lead to life-threatening infections, increased risk of heart disease, pregnancy complications, as well as social isolation, poor diet, mental health impacts, and increased visits to the emergency department, and avoidable costs in excess of \$818 million per year, as estimated by the Australian Dental Association.
- (3) That this House further notes that:
  - (a) the NSW Health Oral Health Strategic Plan 2022-2032 identifies key priority populations, including Aboriginal and Torres Strait Islander people, people living with a disability, people who experience social-economic disadvantage, people living in regional, rural and remote communities, people from culturally and linguistically diverse backgrounds, refugees and asylum seekers, older people, in particular those living in residential aged care facilities, people experiencing homelessness, people with complex health conditions, carers, and people with diverse sexualities, gender identities and those with intersex variations as having greater difficulty accessing dental care in traditional settings and requiring targeted approaches to improve their access; and
  - (b) as of 9 September 2024, despite public dental service wait times improving, people on the public dental list in New South Wales are waiting an average of 386 days to be seen for general dental care with 3,561 general dental patients not seen within the recommended wait time.
- (4) That this House calls on the Government to make further life-saving and cost-saving investment into public dental services.

It should not take a doctor to point out that teeth are not special, luxury bones separate from the rest of our bodies, but the health system treats them that way. It is a historical and political anomaly that dental care is not fully included in Medicare, as many people would rightfully expect it to be. Last year the Senate inquiry into the provision of dental services found that government spending on dental care in Australia was low by international standards and recommended that the Australian Government work with States and Territories to achieve universal access to dental and oral health care. Last year the Advocate for Children and Young People's cost-of-living report identified that young people in New South Wales are using buy now pay later services to pay for dental care. Dental care is not a luxury. I do not think anyone goes to the dentist for fun. It is necessary health care that has to be covered by government. That is a shared responsibility for the State and the Federal governments.

I have seen the huge impact of lack of access to dental care on people's overall health and wellbeing. Untreated dental issues can cause life-threatening bloodstream infections. As a GP, I have lost count of the number of people I have supported with pain relief and antibiotics that do not actually fix a dental problem at all; they just buy time and prevent complications for people who need to see a dentist but either cannot get in to see one or cannot afford to. The problem is even worse in rural and remote areas. When I worked at the excellent Maari Ma Aboriginal medical service in Broken Hill, it was a daily occurrence to just try to patch people up and buy them time to see a dentist. I understand there is now a dentist in Broken Hill. In 2024, in one of the wealthiest countries in the world, no-one should accept this situation.

Getting dental care into Medicare is unfinished business for The Greens. We used our power in the Federal Parliament in 2010 to secure free dental care for 3.4 million kids under 18. Now, we want free dental care for everyone else as well. I acknowledge Dr Kerry Chant and her team for the work they have done in New South Wales to get public waitlists trending in the right direction. That is a very positive development, but we still need further investment in public dental services. That will not only save lives and relieve suffering but also reduce the need for more acute healthcare services when dental problems get worse. I commend the motion to the House.

**The Hon. EMILY SUVAAL (21:37):** I thank Dr Amanda Cohn for her advocacy on this important issue and indicate that the Government supports the motion. The Government is committed to reducing dental disease and supporting equitable access to oral healthcare for people across New South Wales. As someone from regional New South Wales, I am particularly aware of the barriers to good oral health in regional and rural areas. New South Wales public dental services provide more than 860,000 appointments to more than 350,000 people each year.

As a mum, I know how important it is to teach our kids good oral hygiene habits such as brushing teeth twice a day, flossing—although it is fair to say that none of us do that enough—and regular visits to the dentist. I am proud that over 15,000 primary students were seen for free through the NSW Health Primary School Mobile Dental Program in 2023-24. Patients with urgent dental conditions are always given immediate appointments and are not placed on a waitlist. Further, 96 per cent of adult patients are seen within the recommended maximum waiting time. As the member noted, NSW Health has done great work in addressing wait times for specialist dental care. Those wait times continue to trend downwards. I note that in this motion Dr Amanda Cohn has referred to the Australian Institute of Health and Welfare report that was recently released. The data in this report shows that there were 87,000 hospitalisations for dental conditions in Australia this year and \$818 million of costs.

These statistics do not reflect the situation in New South Wales as they are a nationwide figure. In New South Wales, it is estimated that there are around 6,000 episodes of care in our hospitals for potentially preventable dental conditions. We are aware that public dental care in New South Wales can sometimes have lengthy waits for some patients, which may unfortunately result in patients presenting to our emergency departments. We are working hard to reduce wait times and to provide quality access to oral health care in communities right across New South Wales.

In January 2024 the Far West Local Health District employed its first permanent lead dentist, which has greatly improved access to dental care for residents. We are looking at other options across the State, including dental vans visiting various local health districts. Significant funding of \$11 million per year goes to Aboriginal Community Controlled Health Organisations to provide dental care to Aboriginal community members. We are doing more work in this space, but we have more work to do. Dental care is important. I should floss my teeth more. I commend the motion to the House.

**The Hon. NATALIE WARD (21:40):** The Opposition supports the motion moved by Dr Amanda Cohn, and I thank her for bringing it to this place. As a practitioner with real-world frontline experience in this area, she is to be commended. The State is all the better for having her in this House bringing these important motions. Her evidence base, the Advocate for Children and Young People, is a very smart woman who knows her stuff and brings great expertise. The fact that children are going without, and that we are having to literally fill these gaps, is a sad indictment on this country.

I declare a conflict of interest, for the record. My father-in-law, the late Dr John Begg, was a dentist for 40 years on The Corso in Manly. He also travelled to Bathurst Island for three weeks every year to treat young Aboriginal children. This was a great joy for him, but it was also something he did to fill yet another gap. We are supporting this motion because the Minns Labor Government has cut the health budget in successive years. Every day, people are seeing the heavy impacts of cuts to the health budget. We are now seeing the human face of these cuts. Emergency departments remain overcrowded.

Treating dentistry on time and early has long-term effects. We need to make sure that children, in particular, are treated early. This is a healthcare issue that we all should be supporting and getting behind. This motion presents the fact that more than 30 per cent of patients have delayed or avoided dental care in the past 12 months, and cost has been a major factor. People on the public dental list in New South Wales are waiting an average of 386 days to be seen for general dental care. That is not okay. I acknowledge Dr Amanda Cohn's recognition that going to the dentist is not necessarily a fun day out, but it is important that we do so and that we establish great dental health for our families, for our future and for our communities.

We need to ensure that this important health issue is taken seriously by all of us, not only as a policy issue but also as a practical issue. We need to make sure that people in this country are taken care of. The Opposition is happy to support this motion. I thank the honourable member for her contribution, for her commitment to this area and for the expertise she brings into this place. We all need to floss more. Thomas the Tank Engine and Barbie toothbrushes are great additions, but we also need to make sure we are wrapping around kids that do not have the luxury of any dental care. I support and commend the member for bringing the motion.

**Dr AMANDA COHN (21:43):** In reply: I thank the Hon. Emily Suvaal for her support on behalf of the Government. If we are going to confess our personal dental health this evening, I note that I have consumed far too many lollies to get through the late-night sittings this week. The Australian Institute for Health and Welfare statistics are indeed Federal, but the motion points out that people in New South Wales are waiting an average of 386 days to be seen for general dental care in the public system. Many of these cases are not medical emergencies, but any of us that has experienced the impact that dental pain and suffering can have on day-to-day life knows that 386 days is a very long time to be on a waitlist.

I have acknowledged the important and valuable work done to make waiting lists shorter, but the motion points out that the people who are missing out on dental care are from priority populations of people who are already marginalised and disadvantaged in their health and access to health care. There is so much more important

work to do to reach those priority populations. I thank the Hon. Natalie Ward for her support on behalf of the Opposition and also for sharing her family connection to this important issue. I look forward to working with the Government to get the rest of this important work done.

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

**Motion agreed to.**

### **UNACCREDITED EMERGENCY ACCOMMODATION**

**The Hon. EMILY SUVAAL (21:45):** I seek leave to amend private members' business item No. 1307 for today of which I have given notice by:

- (1) Omitting in paragraph (3) "26 per cent" and inserting instead "30 per cent".
- (2) Omitting in paragraph (3) "from 506 to 376" and inserting instead "from 506 to 354".

**Leave granted.**

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

- (1) That this House acknowledges the Government will ban the use of unaccredited emergency accommodation for vulnerable children in the foster care system (alternative care arrangements).
- (2) That this House condemns the former Government's reliance on these inappropriate and costly arrangements.
- (3) That this House notes that the Minns Labor Government has reduced the number of children in other types of emergency accommodation by 30 per cent, and since November last year, the total number of children in all types of High Cost Emergency Arrangements [HCEAs] has fallen from 506 to 354.
- (4) That this House further notes that the Minns Labor Government is rebuilding the broken out-of-home care system and ensuring more children grow up in safe and loving homes.

Every child deserves to grow up in a safe and loving home. The State's most vulnerable children deserve to have a safe, inclusive and loving environment to live and thrive in. Unfortunately, this was far from the case under the former Liberal-Nationals Government. When Labor came into government last year, it inherited a broken child protection system that was spiralling out of control and not fit for purpose. As a part of this broken system, the former Government oversaw at-risk kids being placed in hotels, motels and even caravan parks with 24/7 shift workers. This was delivered by unaccredited providers.

These children have already faced significant trauma in their short lives. Members in this place cannot even begin to imagine this trauma. These children need foster carers, not shift workers. They need and deserve safe and loving homes. The report by the Advocate for Children and Young People, Zoë Robinson, entitled *Moving cage to cage: Final Report of the Special Inquiry into Children and Young People in Alternative Care Arrangements*, paints a harrowing picture of the experiences of children living in these arrangements. As reflected in the title, one young person compared their experience living in an alternative care arrangement [ACA] to that of a "dog being moved from cage to cage".

Minister Kate Washington, one of my colleagues in the other place, relayed the experience of one young woman she met, who described being denied contact with her own siblings despite living in separate rooms of the same hotel. Imagine being placed in one of these arrangements with no autonomy, to the point where you are denied contact with your own siblings. It is dehumanising. It is an unnecessary institutionalisation of our children, and it completely robs them of their own agency. That is why the Minns Labor Government is banning the use of unaccredited emergency accommodation for vulnerable children in the foster care system. Unaccredited providers and so-called alternative care arrangements will have no place in our child protection system under this Government.

Not only are these practices putting vulnerable kids more at risk, but they are also extremely costly. Alternative care arrangements are estimated to cost upwards of \$2 million per child per year. Over the past six years, those arrangements have cost the taxpayer half a billion dollars. For all its talk of being the better economic managers, it is astounding that the former Liberal-Nationals Government allowed those arrangements to continue for so long. Not only were they costing us, but they were harming our kids.

While the former Government refused to acknowledge the scale of the problem and shirked its responsibilities to these children, the Minns Labor Government has taken a very different approach. I commend the work of my colleague in the other place, Minister Washington, as I did earlier tonight. Since coming into office last year, the Minns Labor Government has reduced the number of children living in ACAs by 74 per cent. We have worked hard to drive the number of children in ACAs down from 139 to just 36. For the 36 children who currently remain in an ACA, suitable alternative placement types have been identified for each individual and

efforts are ongoing to facilitate those transitions as soon as possible. The options include returning the child safely to their parents, placing them with a foster carer or relative, or providing support in an intensive therapeutic care environment.

The Government has recently expanded the intensive therapeutic care capacity and recruited around 200 emergency foster carers to help support children being moved out of emergency accommodation. Those emergency foster carers have been crucial to our efforts, which have already seen 760 children avoid hotels and motels and find homes with genuine carers instead. Since November last year, the Government has delivered a significant reduction in all high-cost emergency settings, from 506 to 354, representing a drop of 30 per cent. We are now in a position to place a ban on ACAs within the next five months, thanks to the tireless efforts of this Government and the Minister. If we can do it sooner, we will.

**The Hon. NATASHA MACLAREN-JONES (21:51):** Every child deserves a safe and stable place to call home and any emergency placement should only be temporary, with an approved provider and accredited staff. The Opposition cannot support this motion because it is factually incorrect. First, the Minister admitted in budget estimates that alternative care arrangements [ACAs] will continue to operate. I asked, "Minister, you have just said that hotels and motels will still operate." Her response was, "Correct." Clearly, this was a stunt on budget day to try to deflect from the fact that, yet again, members of the Public Service Association [PSA] were protesting. This year we have seen recurring PSA protests across this State over caseworker vacancies and an increase in risk of significant harm [ROSH] reports, all happening under this Minister's watch.

Secondly—and this is one of the key things that members of this House need to note—the information provided in this motion is factually incorrect. The motion states 506 children from November 2023. However, the Government's data that is publicly released and available—and I am happy to table the information, although it is available online—states the figure is 469. From November 2022, that figure was 371. So what we have seen under this Minister over a 12-month period is an increase in the number of people in high-cost emergency arrangements [HCEAs], from 371 to 469. Let us go back a little bit further to July 2022, when the Minister came in. The figure shown on the public record for HCEAs is 325. In June this year—recently released data—it was 402. So, again, HCEA numbers are continuing to rise under this Government.

The fact is that ACAs are only one type of high-cost emergency placement. There are interim care models [ICM], individual placement arrangements [IPA] or short-term emergency placements [STEP], and also some types of residential care. The overall number of young people in HCEA placements has not changed under this Government. In fact, looking at the detail, IPA numbers have risen by 42.3 per cent in 12 months under this Minister. The Minister does not like to talk about the fact that residential care numbers are also going up, jumping by almost 9 per cent, or the fact that caseworker vacancies have risen under her watch. Worst of all, ROSH reports have increased and, more importantly, less young people are being assessed whilst this Minister has been in government.

It is unfortunate that Government members have been given misinformation by the Minister and her office, yet again. I feel for them, because it is not their job to fact-check that information. They rely on what the Minister is telling them. Blatant misinformation was put on record. The fact is that the information that is publicly available, released in the latest Statistical Report on Services for Children and Young People, reveals that children are at greater risk because of the failings of this Minister.

**Ms SUE HIGGINSON (21:54):** I have a short speech.

I seek leave to have my speech incorporated in *Hansard*.

**Leave granted.**

It is no understatement to say that the State's out-of-home care system is in crisis and has been for many years, and too many children and young people are devastatingly wronged and harmed in the hands of the State.

Too often they end up transitioning from the out-of-home care system into the criminal justice system, and we know that more than half of the children and young people we are speaking about are First Nations.

On May 2 this year the Advocate for Children and Young People published *Moving cage to cage: an interim report of the Special Inquiry into children and young people in alternative care arrangements*.

The Advocate stated plainly that "There's been no evidence that has come to me that these arrangements are good for children and young people."

The report was the first that centred the actual voices of the young people in alternative care arrangements. One young person said:

They just move me around like a doggy in the pound pretty much, moving cage to cage.

That report showed us that, of all the children in alternative care arrangements, over half are First Nations children and almost half have disabilities, and that it costs almost \$1,000,000 of public money per year to keep a child in alternative care arrangements.

We learnt that much of this money becomes private provider profit, with no accountability to the department or to the wellbeing of the children in their care.

As shocking as it was, the "Moving cage to cage" report revealed nothing about the alternative care arrangements that we did not already know.

So it was absolutely a welcome announcement from the Government that they were ending this awful regime.

But, seriously, this is not to be considered reform; this was about stopping the cruel, inhumane, degrading and torturous treatment of vulnerable children and young people.

The out-of-home care system in this State is dangerously broken. When a child is separated from their family, the lucky are taken in by foster carers, who are unsupported and underpaid, while the unlucky become the stories detailed in the "Moving cage to cage" report: children abused, isolated, ignored and disempowered indefinitely at cheap overnight motels.

The only way out of this crisis is to invest in families and communities to ensure that they can care for kids in the way that every parent wishes and every child deserves.

**The Hon. EMILY SUVAAL (21:55):** In reply: I note that the Government has today reached a record pay deal with caseworkers and frontline care workers in this industry. Curiously, my staff have searched *Hansard* and they cannot find a single instance of the former Minister having mentioned high-emergency arrangements, alternative care arrangements or kids being in hotels and motels, let alone having updated the House about them or the problem of their growing number. In terms of the reporting that the Government is doing around the numbers of people subject to arrangements, instead of creating different categories and hiding the actual numbers, we have been transparent from the start. Members can make their own judgements about the former Minister and the current Minister in terms of the alleged misinformation I have been provided. But I am satisfied with my remarks. I stand by them. 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.**

#### *Business of the House*

#### **SUSPENSION OF STANDING AND SESSIONAL ORDERS: HARD ADJOURNMENT**

**The Hon. CAMERON MURPHY:** By leave: I move:

That Standing Order 34 relating to the hard adjournment at 10.00 p.m. be suspended for Wednesday 23 October 2024 only.

**Motion agreed to.**

#### *Documents*

#### **NORTH COAST MISSING PERSONS**

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

**The Hon. JEREMY BUCKINGHAM (21:57):** I thank the House and all members, especially the Hon. Emily Suvaal, for their consideration and collaboration to make sure that this matter gets dealt with tonight. It is deeply appreciated. I seek leave to amend private members' business item No. 1485 standing in my name by omitting "21 days" and inserting instead "28 days".

**Leave granted.**

**The Hon. JEREMY BUCKINGHAM:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents in the possession, custody or control of the Attorney General, the Minister for Police and Counter-terrorism and Minister for the Hunter, the NSW Police Force or the Department of Communities and Justice relating to strike and task forces in New South Wales:

- (a) all documents relating to the following strike or task forces in New South Wales:
  - (i) Strike Force Alethia;
  - (ii) Strike Force Arapaima;
  - (iii) Strike Force Aletheia;
  - (iv) Strike Force Chelmsbrook;
  - (v) Strike Force Bambil;
  - (vi) Strike Force Circulo;
  - (vii) Strike Force Delaware;

- (viii) Strike Force Chelonia;
- (ix) Strike Force Oro;
- (x) Strike Force Sixth;
- (xi) Strike Force Howea;
- (xii) Strike Force Bolls;
- (xiii) Task Force Metz;
- (xiv) Strike Force Badges;
- (xv) Task Force Fenwick;
- (xvi) Strike Force Wallaroo;
- (xvii) Task Force Ancud;
- (xviii) Operation Lumberton;
- (xix) Task Force Bountree;
- (xx) Strike Force Casco;
- (xxi) Strike Force Impey;
- (xxii) Strike Force Alsdorf;
- (xxiii) Strike Force Annonay;
- (xxiv) Strike Force Varberg;
- (xxv) Strike Force Behl;
- (xxvi) Strike Force Sobroan;
- (xxvii) Strike Force Brassie;
- (xxviii) Strike Force Wardle; and
- (xxix) Strike Force Sobroan.

- (b) 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.

It is critical for many people in the State to find out what has happened in regard to these strike forces and on the North Coast of New South Wales, given the news that there have been an alarming number of unsolved homicides and disappearances, and coronial inquests where there has been a finding of foul play. I will leave it at that. I hope all members support the motion. The issue is before the House again tomorrow as a matter of public importance. I will have more to say then. Again, I thank the Government, the Opposition and The Greens for their cooperation and, in particular, the Hon. Emily Suvaal for curtailing her important debate to allow this motion to be dealt with today. I commend the motion to the House.

**The Hon. DANIEL MOOKHEY (Treasurer) (21:59):** The Government will not oppose the motion.

**The Hon. NATALIE WARD (21:59):** The Opposition will be supporting the motion.

**Ms SUE HIGGINSON (21:59):** On behalf of The Greens, I indicate that we will support the motion. I put on the record that I personally knew one of the women who are the subject of this motion. There are people all over who really want to pursue this matter and pursue all the missing women and the unsolved murders the motion deals with.

**The Hon. JEREMY BUCKINGHAM (21:59):** In reply: I again very much thank honourable members for their support in this very difficult and egregious matter. I thank members for their consideration, especially the Government Whip, the Minister and the Deputy Leader of the Opposition. 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.**

*Adjournment Debate*

**ADJOURNMENT**

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

That this House do now adjourn.

## BICENTENARY OF THE LEGISLATIVE COUNCIL

**The Hon. SCOTT FARLOW (22:00):** Over the past two centuries, the New South Wales Legislative Council has been an enduring symbol of our democratic foundations and has helped shape the fabric of our great State. First meeting in August 1824, the Legislative Council began its life as a small advisory body to the Governor. At its inception, it consisted of five appointed members, all of whom held significant influence in guiding the colony's affairs. The structure of the Legislative Council has transformed over the years. By 1842, the Council had expanded and introduced some elected members, reflecting the growing demand for representation in the colony.

Throughout the 1900s, the Legislative Council overcame and defeated many attempts at abolition; of course, they were all led by Labor. I do not know whether the Treasurer is still in the Chamber, but I do not want him to get any ideas. Thankfully, the result was in stark contrast to that in Queensland, and this House has survived and thrived as a check and balance to strengthen democracy and accountability in our State. It is a strength that governments cannot unilaterally pass legislation through Parliament and that the Legislative Council allows for a broader range of voices to be heard. The evolution of the Legislative Council reflects the broader trajectory of Australian democracy. From a body of appointed members to an institution fully elected by the people, with the full representative democracy reforms in 1978, it has grown in strength, diversity and capacity to represent the voices of all citizens of New South Wales.

As we celebrate this bicentenary, a significant milestone in our State's legislative history—and, we should note, in Australia's history, as the nation's oldest Parliament—we can reflect on Sunday's historic visit by His Majesty King Charles III to this Parliament. It is fitting to reflect on past visits by members of the royal family that have honoured key moments in our political and cultural life and brought us together as a State and a nation. Her Majesty Queen Elizabeth II visited the New South Wales Parliament several times during her reign, reinforcing the strong historical and constitutional ties between Australia—and, indeed, New South Wales—and the Crown. In 1954, just two years after ascending the throne, Queen Elizabeth II made her first visit to Australia, presiding over the opening of this Parliament. I consider that moment so historic that a picture of the 1954 joint sitting has long been on the wall of the entry to my office.

Her Majesty also visited Parliament in 1992 and again opened State Parliament for the sitting. During her reign, the Queen was greeted with unparalleled enthusiasm in New South Wales, symbolising not only her role as monarch but also the strong affection Australians held for her. Her Majesty's visits throughout her reign underscored her steadfast commitment to the Commonwealth and highlighted the ongoing constitutional link to the Crown, which remains a core part of our system of government. During her visits, the Legislative Council played host to moments of reflection on the enduring principles of governance, duty and service that have long been associated with the monarchy. We also look back on the significant visits of His Majesty King Charles III prior to ascending the throne. As King Charles remarked on Sunday, he first visited our Parliament as Prince of Wales in 1974—50 years ago—to mark the Legislative Council's 150th anniversary. I may be looking ahead too far, but I hope that a future King William V or King George VII will visit in 2074 to mark our 250th anniversary. Our future MLCs will now be in school, or perhaps are yet to be born.

The royal visits have highlighted the ways in which the Crown, as an enduring symbol of continuity, has adapted and responded to the changing needs of its people, particularly in Australia. Today, under the reign of His Majesty King Charles III, we continue to recognise the importance of this constitutional relationship, appreciating its role in safeguarding the democratic principles that underpin our State's institutions. We saw that celebrated not just in this building but also on the streets and throughout communities in New South Wales. I take this opportunity to recognise the tireless work and efforts of several people in organising the events surrounding the bicentenary—of course, none more so than from the Clerk, David Blunt, the Usher of the Black Rod, Jenelle Moore, and all their teams, who perform such a crucial role in the Legislative Council today. They have also played an important role in recognising and celebrating the history of the Legislative Council that has brought us here today.

Of course, we could not do anything in this place without them and their teams. They play a foundational role in upholding democracy in this State. Members get the honour of being the public faces while those officers are the true mechanics of our democracy in New South Wales. I acknowledge the roles of two Presidents: the Hon. Matthew Mason-Cox for the initial organisation of the royal visit, which included his trip to Scotland to entreat His Majesty—then His Royal Highness—to visit us for the bicentenary; and, of course, the Hon. Ben Franklin for his endless enthusiasm for the bicentenary and for the flawless occasion that took place on Sunday. It was a marvellous event for all and one that will be remembered in this place for many years to come.

Having begun as a small advisory body, the Legislative Council is now a robust institution that plays an essential role in ensuring transparency, accountability and the fair representation of all New South Wales residents. This bicentenary is an opportunity to reflect on the past but also to consider the future. The Legislative Council has always been a place where the wisdom of the past meets the promise of the future and where careful

deliberation guides the development of laws that shape our lives. During this bicentenary period, and particularly with recent events, we can all take to heart the wonderful, privileged role we play as custodians of democracy in our State and the role we play in this House. My forebears were in the colony from 1790; our role may be a little different to what their roles were at that time. Hopefully, future generations will be able to look at the hourglass King Charles has given us and reflect on its importance.

### NARRABRI GAS PROJECT

**The Hon. JEREMY BUCKINGHAM (22:06):** Mr Deputy President, you more than anyone would know all about dud routes. There is a dud route in this State, and that dud route is the Hunter-Queensland gas pipeline—the pipeline route that travels from Newcastle all the way to Queensland. It has been described by landholders as an absolute dud route. Another dud route is the lateral pipeline in this State from the Narrabri gas project out to that pipeline. It is an absolute dud project underpinned by Santos and its dud routes. In May 2014, Santos lodged the Narrabri Gas Project application, covering an area of 92,400 hectares. Disgracefully, despite opposition, in September 2020 the Independent Planning Commission granted development consent for the Narrabri Gas Project, allowing Santos to drill 850 gas wells on farmland and in the Pilliga State Forest.

These Santos production leases lie within Gomeroi country. Gomeroi people consider the forest and groundwater sacred. They have been custodians of that land from time immemorial and have handed that land to us to look after. The Narrabri Gas Project will desecrate their sacred lands, water and culture. The Gomeroi submitted that the Narrabri Gas Project would result in grave and irreversible consequences for their culture, lands and waters and would contribute to climate change. In 2022 the National Native Title Tribunal found in Santos's favour, concluding that the proposed grants would provide a public benefit that would significantly outweigh the Gomeroi applicants' concerns. That is absolutely outrageous.

In January 2023 the Gomeroi people appealed the tribunal's decision in the Federal Court. In April 2024 the Federal Court set aside the determination of the National Native Title Tribunal, finding that the tribunal erred by declining to have regard to evidence on climate impacts that was tendered by the Gomeroi people. Santos and New South Wales submitted it was appropriate to limit the tribunal to the evidence that was before the tribunal in 2021. The Federal Court disagreed and found the tribunal ought to consider the most up-to-date and relevant material available. The court ordered that the parties are able to adduce further evidence of the impacts of climate change, which were not available when the Gomeroi prepared their original evidence in 2021. This has been a win—a massive win—by the Gomeroi people against one of the most despotic and awful corporate entities in this country, Santos. But the fight is ongoing.

A lot has changed since 2021. We have the Climate Change (Net Zero Future) Act 2023, and long may it reign over us. New South Wales is not on track to meet its 2030 and 2035 targets. Government policy is that all sectors need to ratchet down their emissions to meet New South Wales legislated targets. A contingent of Gomeroi, union representatives and Lock the Gate landholders were at Parliament today lobbying against the project. The National Native Title Tribunal will remake its determination by 2025. It is calling on the New South Wales Government, as a model litigant, to supply it with information other than, as it originally did, the Federal Government's Future Gas Strategy. The tribunal is asking the Government to put forward its modelling on climate change. That is totally reasonable, and I hope the State Government does that.

While waiting, Santos is continuing to pursue land access agreements for the Hunter gas pipeline route and Narrabri lateral pipeline routes—those dud routes. Those pipelines affect a large number of farmers and landholders who are strongly opposed to the pipelines coming through their land. We know that recently, unfortunately, the energy Minister has renewed the authorities to explore. Those landholders do not want a pipeline through their farmland. They are incredibly productive farmlands. The Gomeroi people do not want the Narrabri project in the Pilliga or on the farmlands of the Liverpool Plains. There is no future for fossil fuels in this country. We need to move to renewable energy as we transition away from gas. We need to build some storage, make sure we degasify our economy and make sure we do not get captured by dud routes.

### GRIFFITH SPRING FEST

**The Hon. BOB NANVA (22:12):** With winter having thawed and spring now upon us, it is a great time to stop and smell the flowers—or, rather, the oranges. September and October are the season of local spring festivals, and nobody does a spring festival quite like country New South Wales. While I do not have the privilege of living in one of the beautiful regional areas, I am fortunate to spend much of my time in them as a member of the Legislative Council. Sometime soon, I am hoping to return to Griffith, in my duty electorate of Murray, which this week is celebrating the Griffith spring festival.

The Griffith spring festival is an annual celebration that takes place under the October sun each year. It is a huge draw to Griffith at a time of year when the local gardens and the region's produce are at their best. The



Riverina, as a region, is a crucial driver of Australian agriculture. No-one could understand Griffith without grasping the industry that has shaped it and of which it is immensely proud. One in four glasses of Australian wine come from the Riverina, as well as a huge proportion of Australia's rice production. Notably, it is the largest citrus-growing and poultry-producing region in the country. All of that is on proud display during the Griffith Spring Fest.

For anyone who might be listening or who reads this transcript, I implore them to google "Griffith citrus sculptures" because these things are the real deal. They are not just for show because, after the event, the 100,000 oranges are juiced and enjoyed so that they do not go to waste. The sculpture exhibitors come from all parts of the community. Exhibitors this year are using their exhibition to raise awareness of the work they do to support and empower local women and girls. That is not to mention the synchronous garden festival that happens every Griffith Spring Fest. It has been functioning for over 30 years and is a superb showcase of Griffith's beauty.

There are few better places at this time of year to enjoy a long lunch of local origin by the vineyards with a glass of local wine. In true Griffith spirit, there is always value to be found. The festivities, whether the orange sculptures, the gardens or elsewhere amongst the festival, serve as an opportunity for local charities and action groups to raise awareness and build their profiles. All sorts of personalities put up their hands for the orange sculptures and garden exhibitions—Ron and Lyn Anson volunteered their garden. I am told Ron's chicken coop is the envy of all backyard set-ups and the variety of flora is one to behold. Visitors to Lyn and Ron's garden this year are invited to donate on entry to Griffith Can Assist, a charity by locals for locals and their families battling cancer. Alongside them, other gardens in Griffith Spring Fest are supporting Girls Day In, Riding for the Disabled, Tilly's Journey and the Griffith Netball Association.

Griffith is certainly a town that knows its own character. Through Spring Fest, it has created something that locals and tourists can take part in to celebrate its heritage, its industry and the people who have come from across the globe and proudly call Griffith home. It is a testament to the people in the regions who take pride in where they come from and want to share it with the world. Governments of all persuasions would do well to always support those ambitions and endeavours.

### ROYAL VISIT

**The Hon. JACQUI MUNRO (22:15):** Harboursing a penchant for the union is in my blood—or at least hedging my bets to always be on the side of the winning team. When I travelled to Scotland in 2014, I proudly spoke of my Munro heritage, with our castle and clan tartan and the Munro motto "Dread God", because God is the only entity that may judge the Munros. But I soon demurred upon learning that, while details on battles and soldier numbers vary, the Munros most certainly supported the Hanoverian-British Government during the Jacobite risings throughout the early to mid-1700s. What I now know is that a group of Munros also cannily fought in brotherly spirit with the Jacobites. Details about the reasons for the Munro strategy, loyalty to the Crown and to the rebels, are scant. But, like all great Machiavellian calculations, I presume the goal of self-preservation reigned supreme for my ancestral clans men and women.

The Hanoverian-British Government ultimately triumphed and Scottish heroes, like Bonnie Prince Charlie, lived in defeat or exile. The Munros picked the winning side and the Hanoverian-Brits governed over a period of remarkable political stability in the region, allowing the development of a formal constitutional monarchy, the appointment of the first de facto Prime Minister who led for an incredible two decades, the introduction of income taxation and significant reform to enfranchise ordinary people to vote in more fairly distributed representative electorates.

By the end of the Hanoverian period, the British Empire covered a third of the globe, including the colonisation of Australia. In a small coincidence of timing, Prince Charles Edward Stuart, the last leader of the Scottish Jacobite risings, died on 31 January 1788, just days after Captain Arthur Phillip landed in Kurnell to cement the British Empire's expansion in the Southern Hemisphere and the widespread death of another people, Aboriginal Australians, who had lived unmolested on the continent for over 60,000 years.

The history of our colony and country is rich and also raw, but I will now focus on more current matters. His Majesty King Charles III visited this Parliament four days ago, 200 years since the Legislative Council Chamber's creation. On the occasion, I was excited to shake His Majesty's hand and exchange words of gratitude for his work. Upon realising that many people in this place thought me a republican, I want to take this opportunity to set the record straight. As political players in the grand ideological narrative of our time forced to face serious and growing threats from tyrannical communist neighbours and far-reaching radical Islam, I believe it is incumbent upon us all to defend and build the strength of western liberal democratic values and institutions. It is why I now call myself a monarchist. While I have been a yes voter in a referendum and a national postal survey since then, if a referendum for the republic were to be held today, I would be a firm defender of our constitutional monarchy.

To strive for good relations and celebrate the best parts of our institutions, to reject isolationist patriotism in favour of passionately moderate values-based connection to our network of similarly minded nations is, I believe, the best way to avoid the not inconceivable Fall of Rome 2.0. Our most trusted multilateral relationship—the five eyes—is based on the mutual trust and respect of deeply held liberal democratic values, all spawned from British colonisation, with the United States, Canada, Australia, New Zealand and the United Kingdom. That is no accident.

It is dangerous to take a Pollyanna-ish approach to foreign affairs, because those who seek to destroy the institutions that make our way of life enviable—free speech, open democratic elections, independent media—are working hard. They are using cyber attacks, AI bots, social manipulation via social media platforms and algorithms, data harvesting through electric vehicles, misinformation and disinformation and election interference. Make no mistake: These are serious, pernicious actions designed to undermine our security and cohesion on a micro and a macro level.

Those who seek to threaten our way of life—our free, open and progressive societies—are active and working, sometimes very publicly, together. The BRICS bloc of Brazil, Russia, India, China and South Africa is meeting right now in Moscow, and they are not alone. A new acronym is required because the bloc is expanding, now formally including Iran, Saudi Arabia, Ethiopia, Egypt and the United Arab Emirates. We have something stronger than the ad hoc groupings that are based on what they are against rather than what they are for. Our longstanding reach to the United Kingdom extends to Commonwealth nations full of hope with young citizens. We must be circumspect and realistic about what our ties to the British have offered us, for the better. Unlike my Munro forebears, I do not wish to hedge my bets on our relationship with the monarchy. Long live the King.

### GAZA HEALTH WORKERS

**Dr AMANDA COHN (22:20):** Military targeting of health facilities and health workers is a war crime. Health workers are not a target. The Palestinian health ministry has now named 986 of the Palestinian health workers killed by Israeli forces in Gaza and is working to verify a further 165. Among them are at least 165 doctors, 260 nurses, 300 management and support personnel, 184 health associate professionals, 76 pharmacists and 12 other health workers. Mourning the deaths of six of their colleagues in Gaza, Médecins Sans Frontières [MSF], or Doctors Without Borders, known for their aid in conflict zones and political neutrality, stated:

Nowhere in Gaza is safe. Israeli forces have repeatedly attacked health workers and medical facilities, making it nearly impossible for us to continue to provide lifesaving humanitarian assistance. MSF is calling for an end to attacks on health workers and health facilities.

It also stated:

Our teams have witnessed some of the most horrific attacks on civilians that we have ever seen during our more than 50 years as an organisation. We need an enduring ceasefire, to prevent further unnecessary suffering of civilians and urgently allow the flow of aid.

The United Nations has confirmed that nearly 100 health facilities in southern Lebanon have been forced to close due to Israeli bombardment and five hospitals are now non-functional, according to the World Health Organization. MSF has demanded that civilians and medical staff in Lebanon be protected after Israeli strikes took the lives of at least 50 paramedics in the two weeks to 10 October.

Over half of Gaza's hospitals are completely out of service, struggling amid severe shortages of vital medical supplies and clean water. Doctors on the ground have described their situation as "practising medieval medicine" to manage "eighteenth-century illnesses" using improvised resources. They are stories that horrify any medical professional, from cleaning wounds with vinegar instead of antiseptic and using veterinary supplies to amputating limbs and performing caesarean sections without anaesthetic. Australian doctors, including some recently returned from Gaza, have reported that volunteers have been prevented from taking medical supplies into Gaza. They have told that as their universities are destroyed, medical students have been volunteering with doctors and nurses, working 24-hour shifts but not being paid. They have reported that many staff are homeless because their homes have been destroyed and that there is no roster because staff are so often killed overnight.

Health workers have taken care to remove their scrubs before leaving hospitals so as to avoid being targeted by Israeli forces. It is a systematic and deliberate violation of international humanitarian law, which explicitly protects healthcare workers and facilities in conflict zones. Not just as an elected representative of the people of New South Wales but as a doctor, I recognise and honour the overriding professional and ethical obligations that health workers have to protect life, even in times of war, and that health professionals in Gaza and in Lebanon are continuing to work under extraordinarily and increasingly lethal circumstances to do their utmost to save lives and alleviate suffering.

There is more that Australia can do than just say words. If the war crimes are not enough to result in the imposition of sanctions on the extremist Netanyahu Government and to end the arms trade with Israel, I honestly cannot imagine what ever could be. I commend the bravery and advocacy of the global mobilisation of health workers, including Australian and New Zealand Doctors for Palestine, Health Workers 4 Palestine, NMA4Palestine and Gaza Medic Voices, to name a few. Those health workers recognise their ethical and professional responsibilities to advocate for the health and wellbeing of communities, to advocate for peace as a social determinant of health and to fight for the lives and safety of their colleagues.

### **QANTAS WORKERS**

**The Hon. MARK BUTTIGIEG (22:24):** On Monday I attended a press conference with sacked Qantas workers and their union, the Transport Workers' Union [TWU], following the Federal Court handing down a decision that will go down in history as a landmark victory for working people. After Qantas was found to have illegally sacked over 1,700 workers in 2020, the court utilised three workers' circumstances as test cases for how impacted workers could be compensated. The result on Monday was that the three workers would share in \$170,000 in compensation. The next step is for a decision on the global figure for compensation for the remaining sacked workers. The union expects that the number will be over \$100 million and that economic penalties for Qantas could well exceed a further \$100 million.

Members will recall me raising this matter and updating the House several times over the past four years, and I think it is important that this House notes the final chapter and the significance of this victory for working people. Let me remind the House of the details. In 2020 Qantas capriciously sacked over 1,700 ground workers to prevent them from undertaking industrial disputation. It was done under the cover of COVID, where Qantas ended up receiving billions of dollars of taxpayer money. The money was specifically given by the people of Australia to keep people employed and keep the airline running. Instead, Qantas did the opposite and sacked people. It is hard to imagine a more reprehensible example of corporate thuggery by an airline that trades on being the national carrier and the "Spirit of Australia". Qantas displayed no corporate responsibility and simply attempted to de-unionise the workforce and increase profit at the expense of their employees and the Australian taxpayer.

The discarded workers treasured their employment with Qantas. Many of them had been working for the company their whole lives and were utterly devastated when they were sacked. With the support of their union, the TWU, they bravely fought back and never took a backward step. After several hearings with the Federal Court and multiple appeals by Qantas along the way, the High Court finally confirmed that the decision to terminate the workers had, in fact, been illegal. The courts found that Qantas was motivated by a desire to thwart legally protected industrial action and upcoming enterprise bargaining.

The decision not only vindicates the workers and their union but sends a clear message to corporate Australia that an American-style industrial relations regime, whereby corporate giants are permitted to run roughshod over their workers in a bid to de-unionise the workforce, will not be tolerated in Australia. It is also important for people to understand that achieving some sort of justice has taken four years. The deliberate protraction of the dispute by Qantas and its multiple appeals exacerbated the pain and suffering of the workers. We must ensure that such elongations of pain and suffering to victims are minimised as much as possible. Far too often we hear of situations where the innocent party's victimisation is compounded by the length it takes for justice to be finally served. This is yet another example; four years is far too long. Nevertheless, justice has been served, and the truth is, had it not been for the courage and persistence of the workers and the TWU intervening on their behalf to even up the power imbalance between a corporate Goliath and ordinary working people, they would not have stood a chance.

This is a classic example of the value of unions. Those who want to come into this House and denigrate the contribution that unions make to Australian society and the way we differentiate ourselves in how we deal with industrial relations and fairness in the workplace might want to think twice. The TWU case is a classic example of righting the imbalance between those who have a monopoly on capital—the employers—versus working people. Without unions to organise collective industrial action and helping labour fight back, rights enshrined in the Industrial Relations Act and the Fair Work Act, this country would not be the great country that it is. I commend the TWU and the employees.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 22:29 until Thursday 24 October 2024 at 10:00.**