

LEGISLATIVE COUNCIL

Thursday 8 May 2025

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.

Committees

COMMITTEE ON AGEING AND DISABILITY

Membership

The Hon. PENNY SHARPE: I move:

That the Hon. Cameron Murphy be appointed as a member of the Committee on Ageing and Disability in place of the Hon. Emily Suvaal.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Membership

The Hon. PENNY SHARPE: I move:

That the Hon. Stephen Lawrence be appointed as a member of the Committee on Children and Young People in place of the Hon. Emily Suvaal.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

JOINT SELECT COMMITTEE ON THE NSW RECONSTRUCTION AUTHORITY

Membership

The Hon. PENNY SHARPE: I move:

That:

- (1) the Hon. Scott Barrett be appointed as a member of the Joint Select Committee on the NSW Reconstruction Authority to fill the vacancy created by the resignation of the Hon. Sam Faraway; and
- (2) the Hon. Cameron Murphy be appointed as a member of the Joint Select Committee on the NSW Reconstruction Authority in place of the Hon. Emily Suvaal, discharged.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

Motions

CONDOBOLIN RUGBY UNION AND LEAGUE CLUBS

The Hon. SCOTT BARRETT (10:02): I move:

- (1) That this House notes that:

- (a) in great news for Condobolin and surrounds, both the Condobolin Rugby Union Club and the Condobolin Rugby League Club have successfully reformed for the 2025 season after being unable to field teams for the 2024 season;
 - (b) the rugby union side has rejoined the South West Fuels Cup while the rugby league club has fielded a senior men's and a women's league tag side in the Woodbridge Cup, with all sides already notching up wins in 2025; and
 - (c) interestingly, both the men's sides are called the Rams, with the league tag side known as the Ramettes.
- (2) That this House congratulates and acknowledges the important contributions of the players, committee members and volunteers of both clubs, whose dedication and hard work have successfully re-established the clubs, continuing the long and proud tradition of sport in Condobolin and regional New South Wales.
- (3) That this House acknowledges the important role that sporting clubs play in the liveability and vibrancy of our regional communities in providing crucial social outlets that help build connectedness and encouraging healthy and active communities, delivering far-reaching benefits to regional New South Wales.

Motion agreed to.

TRIBUTE TO JIM CARTER

The Hon. MARK BUTTIGIEG (10:03): I move:

- (1) That this House notes with sadness the passing of Jim Carter, a former organiser and decades-long member of the United Services Union.
- (2) That this House further notes that:
- (a) Jim began his career at Strathfield Council in the 1990s, working in horticulture and quickly becoming involved in the United Services Union, first as a delegate and then as branch delegate;
 - (b) from 2003 Jim was a devoted organiser at the United Services Union, and for over 15 years he worked to support workers at many different councils, including, for the past few years, City of Sydney council; and
 - (c) Jim is remembered as caring deeply and fighting hard for the rights and interests of workers, a true unionist and valued friend and advocate to many.
- (3) Vale, Jim Carter.

Motion agreed to.

PARLIAMENTARY FRIENDS OF ISRAEL EVENT

The Hon. NATALIE WARD (10:03): I move:

That this House notes that:

- (a) on 28 April 2025 the NSW Parliamentary Friends of Israel welcomed members from the Zionist Council of NSW and young Israelis Mr Ari Schlesinger and Ms Ariel Kahanm;
- (b) these young representatives visiting from Israel shared their stories as members of the Israeli Defense Forces and its impact on them as well as their time in Israel during the war since 7 October 2023;
- (c) the event was attended by Jewish community leaders, including Orli Zahava, president; Rebecca Lacey-Ehrlich, secretary; Yosi Eshed; Ami Simons, director; and members of the Opposition including:
 - (i) the Hon. Mark Speakman, MP, SC;
 - (ii) the Hon. Natalie Ward, MLC;
 - (iii) the Hon. Damien Tudehope, MLC;
 - (iv) the Hon. Susan Carter, MLC;
 - (v) the Hon. Aileen MacDonald, MLC; and
 - (vi) the Hon. Rachel Merton, MLC.
- (d) the Parliamentary Friends of Israel thanks the Zionist Council of NSW and supports Jewish people and their families worldwide.

Motion agreed to.

FORESTRY CORPORATION HALF-YEARLY REPORT

Ms SUE HIGGINSON (10:04): I move:

That this House notes that Forestry Corporation's half-yearly report for 2024-25 was tabled in Parliament on 5 May 2025 and reports that:

- (a) the Hardwood Forest Division posted a normalised earnings loss of \$14.9 million, which was \$9.0 million below target;
- (b) the Softwood Plantations Division posted normalised earnings of \$14.4 million, which was \$7.5 million above budget target; and

- (c) the full year statement of corporate intent target is \$5.5 million and, while careful management of expenditure will continue, it remains unlikely that Forestry Corporation will meet its full-year target.

Motion agreed to.

Bills

COMMUNITY IMPROVEMENT DISTRICTS BILL 2025

First Reading

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

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

Statement of public interest tabled.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS

The Hon. SARAH MITCHELL (10:24): I move:

That standing and sessional orders be suspended to allow private members' business item No. 1648 relating to the Abortion Law Reform Amendment (Health Care Access) Bill 2025 to be called on forthwith.

I do not move this motion lightly, but I was quite disappointed when I looked at the order of business for today. I cannot understand why we are not beginning with the abortion law reform bill as the first item when, frankly, we should be. That is the reason why I move this motion. I am also concerned that the discussion we had yesterday about lifting the hard adjournment for tonight might not have been had in a genuine manner. Yesterday the House agreed to lift the hard adjournment. In that debate the Leader of the Government made it clear that it was because there will be a conscience vote on the bill, and it would take a long time. The Government was clear that it wanted to proceed so that the bill could go to the lower House next week.

Today we find on the *Notice Paper* that we have a matter of public importance [MPI] to proceed with, with 90 minutes allocated for debate. There are also now two Government bills that will need to be dealt with before we begin the abortion bill. This is not a matter of whether or not members agree with the bill; that is a matter of conscience for members of my party, my Coalition colleagues and indeed Government members. The fact is that we should start with that as the most important order of business. It is the reason why we are sitting late tonight. We know that everything on the agenda will be dealt with today; we have lifted the hard adjournment. The Government bills that are on the agenda and the MPI of the Hon. John Ruddick will all be dealt with. My point is that we should deal with the most contentious and emotive bill first, which is the abortion law reform bill.

The Community Improvement Districts Bill 2025 that has just been received by the House had a lengthy consideration in detail stage in the other place. A number of amendments were considered, and I anticipate that it will be the same here. The reality is that we are not likely to start on the abortion bill until well into this afternoon, or possibly this evening, and go late into the night should the order of business stay the way that the Government has put forward. We are due to begin the Committee stage on the abortion bill, and there are a number of amendments. I want to listen to that debate. I want to make decisions about how I am going to vote. Members will move amendments and other members will wish to speak to them. That should happen when we are at our freshest and we can give it our full consideration, not very late at night or in the early hours of the morning.

Yesterday my colleague the Hon. Natasha Maclaren-Jones spoke about the car accident she had while driving home after a late-night sitting. We do not have pairing arrangements for conscience votes, as members well know. If the abortion bill is being dealt with late into the night, we will not be able to be paired. Members might have to travel early the next morning or have caring or family responsibilities. Ministers might have arrangements that they need to deal with. All of that will be off the table in terms of pairing arrangements. If we

dealt with the abortion bill first and then went back to the normal process of the MPI and the Government bills, those practices could be put in place.

As I said, this is not something I do lightly. But we have been told that the reason we are sitting late tonight is that we need to get through all of this and deal with the abortion bill. Let's do it first. Everything else on the business list will still be dealt with, but let's deal with the most important matter, which is the one that members feel strongly about and the one regarding which emotions can be high. Members have a right to listen to the debate to make those decisions and judgements of conscience. Let's begin the debate now, get that bill done and then move on to the other items on the Government's agenda.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:27): Any member may seek to change the order of business that the Government has set down on a Government business day, so moving this motion is totally fine, but I make the following observations. Today is a Government business day. We have been very clear that we still have Government business to do. In fact, a member on the opposite side of the House wanted to even challenge us on providing time for the private member's bill to come on today. The Government has one bill. The other matter before the House today is a matter of public importance [MPI] by the Hon. John Ruddick, which he postponed on Tuesday. I will be upfront: The Government does not have a problem with bringing that on. There are no tricks being played. This is a Government business day and, traditionally, the Opposition has respected that the Government gets to choose the order of business for the day. I hear the points that the Hon. Sarah Mitchell has made. This is not a strong criticism, but the House can make the decision on how we do this.

We have an MPI today. The good news is that the amendments to Dr Amanda Cohn's bill are down to 11. It is not like it was five years ago, when there were 200 amendments and it was very challenging. I believe we will be able to debate them in an orderly manner. Everyone who has a view will have time to consider the amendments carefully, weigh up their options and vote according to their conscience. I believe there is plenty of time to do that. I do not believe that necessarily means we are heading for a late night, but I have long learnt not to make predictions about exactly how things might roll out. I respect the rights of members to make their case how they see fit within the standing orders.

It is a Government business day. It is clear that the Hon. John Ruddick will move an MPI. It is up to members how they want to deal with that. I ask the House to allow us time to do Government business. I do not believe that there will be catastrophic issues or a problem in relation to how long it will go. We did move, and the House has decided, to lift the hard adjournment on the basis that we might need some extra time. But I ask people to respect Government business day and make a decision in relation to the MPI. We will get on to the private member's bill later today. I think we will do that in an orderly manner, with only 11 amendment to go.

The Hon. DAMIEN TUDEHOPE (10:30): I would be very happy if the Abortion Law Reform Amendment (Health Care Access) Bill 2025 did not come on at all. That is absolutely my position and I do not think anyone would be surprised at that. But, fundamentally, there has been a pattern of misleading the House in relation to lifting the hard—

The Hon. Penny Sharpe: Point of order: That is a really offensive thing to say. Just to be clear, each decision this House has made has been on the basis of members who have supported it. It was clear in the House yesterday that the lifting of the hard adjournment was supported. Those opposite did not win that vote, but they do not get to, firstly, trifle with a decision that has been made by the House and re-prosecute it and, secondly, accuse Government members of misleading the House in such matters. Nothing could be further from the truth. I pride myself, as the Leader of the Government, on trying to work on the basis of no surprises. I am really upfront. I have staff that go around to the staff of members opposite every day, telling them what is going on. If those opposite have questions, they should either talk to their staff or come and talk to me. My door is always open. I absolutely reject the Hon. Damien Tudehope's comment and I ask that it be withdrawn. I note also that those opposite are trifling with a decision of the House, and that is outside the standing orders.

The Hon. DAMIEN TUDEHOPE: I do not withdraw my comment, for this reason: There was no suggestion at any stage that Government business would take priority over the abortion bill. The debate yesterday on the lifting of the hard adjournment was predicated on the notion that the abortion bill needed to be dealt with as a matter of urgency and would proceed potentially late into the night. Against that background, it is misleading—

The Hon. John Graham: Point of order: I ask the Leader of the Opposition to clarify whether he is speaking to the Hon. Penny Sharpe's point of order. You are yet to rule, Mr President. I ask that you either rule or ask the Leader of the Opposition to clarify whether he is contributing to the point of order.

The PRESIDENT: Indeed. Is the Hon. Damien Tudehope speaking to the point of order taken by the Leader of the Opposition?

The Hon. DAMIEN TUDEHOPE: To the point of order: This is what the Leader of the Government said yesterday in relation to the lifting of the hard adjournment:

I will not seek to take up much time of the House. This motion is to remove the hard adjournment for tomorrow only. Members know that we are moving through a bill that is subject to a conscience vote. Those bills take a long time. The Government is clear that it wants to proceed with that so that it can go to the lower House next week.

There is nothing in that to suggest that Government business would take priority over that bill. The House moved to lift the hard adjournment on the basis of that statement. If the Government had been upfront and clear that it wanted to proceed with its business first, then, against that background, the decision of the House may have been different.

The Hon. Penny Sharpe: To the point of order: This is important. I do not trifle with anything I said yesterday. I stand by it. But I had discussions throughout the day yesterday, including last night, with members from the other side of the Chamber that we were likely have a couple of bills that we needed to deal with. The MPI is a matter for the Hon. John Ruddick, which he has been very clear with the House about. Nothing I said yesterday in any way misleads the House. I gently say to the Leader of the Opposition that there have been conversations with a number of people very close to him, from his side of the Chamber, about what was likely to come up today. We have not sought to hide that. We actually sought to be truthful with those opposite and to tell them what we were doing. I absolutely reject any sense that we have misled the House. I am not going to go into private conversations. But I say to the Leader of the Opposition: Be careful of what you are saying because it is incorrect.

The PRESIDENT: I understand the points being made. Without inserting myself into this debate, I think it is possible for both views to exist independently and for both to have some element of truth to them. I understand the points that both the Government and the Opposition are making. I do not think the term "misleading the House" was helpful from the Leader of the Opposition. Having said that, I understand the point that he made. I understand the defence to that point given by the Leader of the Government. The best thing to do at this point is for the Leader of the Opposition to continue his contribution, understanding all of the facts that have been laid upon the table.

The Hon. DAMIEN TUDEHOPE: Acknowledging your observations, Mr President, I do not suggest that the Leader of the Government intentionally misled the House. To the extent that the Leader of the Government interpreted my observations as suggesting intentional misleading, I have to say—

The Hon. Penny Sharpe: Zero misleading. This is deeply offensive.

The PRESIDENT: I understand. I thank the Hon. Damien Tudehope for rectifying his comment. Let us move on.

The Hon. DAMIEN TUDEHOPE: Yesterday we lifted the hard adjournment for tonight. That should have been against a background of not giving priority to Government business as the first order today. The points the Hon. Sarah Mitchell made are entirely supportable. In many respects, members will want to concentrate on the serious issues relating to the conscience vote. We all remember that not too long ago debate on the Conversion Practices Ban Bill came on at 10 o'clock at night.

The Hon. Penny Sharpe: Point of order: The honourable member is now massively straying from the issues that are before the House.

The PRESIDENT: I also note that the Hon. Damien Tudehope's time has expired.

The Hon. WES FANG (10:37): I make a short contribution to debate. I encourage those members of the House who are advocating for the Abortion Law Reform Amendment (Health Care Access) Bill 2025 to be resolved today to consider what my colleague said on the issue of pairs. It could be the case that we get through Government business and the Matter of Public Importance before the bill comes on. If, for any reason, a number of members do not plan to stay until the early or late hours of tomorrow morning, numbers may fall in this House. So I urge those members who are advocating for this bill to consider that members may drop out of this place. They may want to bring the debate on sooner rather than later. Anybody who wants to delay the bill to later tonight should be warned.

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

The House divided.

Ayes 14
Noes 23

Majority.....9

AYES

Barrett
Carter
Fang (teller)
Farlow
Latham

MacDonald
Maclaren-Jones
Martin
Merton
Mitchell

Munro
Overall
Rath (teller)
Tudehope

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly

Faehrmann
Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Lawrence

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

PAIRS

Ward

Suvaal

Motion negatived.*Visitors***VISITORS**

The PRESIDENT: I acknowledge Tony Crooke, Blair Hamilton, Brock Smith, Deborah Naha, Allan Doughty, Dennis Hilton, Steve Hine and Marc Hendrickx in the gallery, guests of the Hon. John Ruddick. You are all very welcome today.

*Matter of Public Importance***NATIONAL PARKS ACCESS****The Hon. JOHN RUDDICK (10:46):** I move:

That the following matter of public importance be discussed forthwith:

Recreational access rights to New South Wales national parks

There is a tremendous amount of community interest in recreational access to national parks and the negative impacts of closures, as demonstrated by the Libertarian Party petition on this matter. The Libertarian Party petition, which was tabled on 25 March this year, is the largest petition in this session of Parliament, with 27,230 signatures. There is clearly community concern regarding the growing restrictions, controls and curtailing of recreational access to national parks. This matter of public importance should be heard.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:47): The Government does not oppose the matter of public importance coming on for discussion.

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

The Hon. JOHN RUDDICK (10:47): I address matters of significant concern to the people of New South Wales: the management of our national parks, the critical issue of public recreational access and the devastating community impacts of closures. Mount Warning, also known as Wollumbin, is the focal point of this issue. This is a national park that has stood for more than a hundred years and was shut down over cynical issues of COVID safety and then unaccountable grounds of Aboriginal cultural heritage. Never mind the severe economic impacts on the neighbouring towns. Members may recall in August last year I visited the Mount Warning region. I spoke with locals in the towns of Uki and Murwillumbah, and I saw firsthand the terrible economic impacts of this unnecessary closure. I saw for myself why Mount Warning was an international tourist attraction. It is an amazing climb with a beautiful view at the top. It nearly killed me, but I made it up and down.

The Hon. Penny Sharpe: I'm glad you survived.

The Hon. JOHN RUDDICK: Thank you. I am too. I defied the law, and I will do it again. United States President Thomas Jefferson taught us "If a law is unjust, a man is not only right to disobey it, he is obligated to do so." Well said, Mr Jefferson. The race-based closure of Mount Warning and so many other national parks and public places is immoral, reductive and intellectually obscene in twenty-first century Australia. The people pay for national parks, and they require access to them for their natural right to engage in recreational activities in wilderness areas.

On 25 March 2025 the Libertarian Party's petition on this matter secured over 27,000 signatures. I thank Tony Crooke of *The Outer Side* for collaborating so closely with my office on this issue. Our petition gathered 27,230 signatures, and I would argue that it would have gathered many more if there had not been an ill-timed IT outage on the Parliament's website, which slowed down the momentum. This petition is currently the largest petition in this session of Parliament, even eclipsing the critically important petition against the Equality Legislation Amendment (LGBTIQA+) Bill 2023. It called on the Government to identify its position and strategy on the management of national parks, specifically regarding the provision of ongoing and unrestricted public access to national parks for recreational use, including but not limited to recreational four-wheel driving, riding motorcycles, mountain-biking, camping, hiking, fishing, hunting and other recreational activities.

The petition requested that the House conduct a parliamentary inquiry into all track and area closures in all land managed by the NSW National Parks and Wildlife Service over the past 10 years, including detailed justification for the restriction of public access in each area, ensuring that the economic impacts on local communities and associated industries are taken into account. I understand that there are about 185 closures at the moment across New South Wales. There are various reasons given, all of them vague. We need transparency, and the public needs to see what is going on.

The huge response from the community to the petition reflects a deep-seated desire to preserve the recreational rights of the public to enjoy and utilise our national parks. These parks are not only areas of natural beauty; they are integral to the lifestyle, culture and enjoyment of many Australians and tourists alike. We want citizens to truly appreciate and value the natural environment, and the best way to achieve that is for them to experience it firsthand. However, over recent years New South Wales has witnessed a disturbing trend of increasing closures of and restrictions of public access to national parks for a variety of reasons. Areas that were once freely accessible for recreational purposes are now being sectioned off, often under the guise of conservation, safety concerns or Aboriginal cultural heritage. Undoubtedly, conservation is important, but it must not come at the total expense of public access and freedoms.

This is not a problem caused by Labor exclusively. There has been a bipartisan capitulation to conservation conservatives, in the Coalition as well. Mount Warning was initially closed by the Coalition. The Government's approach to national park management has seemed more focused on control and restriction than on balanced management. This has led to frustration and disappointment among members of the public, who feel that their voices are not being heard and that their recreational rights are being eroded. The role of the Parliament is to listen to the concerns of the people, and this naturally includes engaging with local communities, recreational groups and stakeholders to develop policies that balance conservation efforts with public access, which is currently not being achieved. The scales are ever weighted towards conservation and closure. This Government needs to recognise that recreational activities can coexist with conservation. Four-wheel driving, for example, can promote environmental awareness and appreciation. These activities also contribute to the local economy and provide opportunities for families to connect with nature and enjoy low-cost holidays.

It is likely that, when Government members speak today, they will cite the importance of conservation in national parks. Every member of this place cares about conservation. However, the Minister and the NSW National Parks and Wildlife Service have gone too far. We are not proposing that tourists go around trampling Wollemi pines in secretive areas of the Blue Mountains or damage other sensitive ecosystems, but rather that they retain access to national parks that have been in public use for generations. It could be argued that there were 53 million visits to national parks in 2022 and that the number is rising and that the Government has opened this and that. While this is likely, it does not reflect the reality experienced by millions of national park users who are being cut off from their preferred national parks, such as Mount Warning. It could be claimed that most closures are for a short term of essential management and maintenance. Yet park alerts such as those for Kanangra-Boyd National Park show trail closures lasting over 18 months since flood damage in 2022.

I am concerned also about the authoritarian overreach of the NSW Parks and Wildlife Service. I recently received correspondence from a resident of Queensland, regarding a penalty he received for riding his bike with friends on the allegedly closed roads of Yabbra Plains Road and Joes Box Road in the Kyogle area and within Yabbra National Park. I have carefully read this correspondence and reviewed the legislation and regulations this individual refers to, and I concur that the authority of the NSW Parks and Wildlife Service to issue the penalty

may have been inappropriate at that time, as the roads appear to have been incorrectly claimed by the NSW Parks and Wildlife Service.

At the time the penalty was issued, Yabbara National Park was under an interim statement of management intent, but there is currently not a management plan in place. Further, Transport for NSW has confirmed that Yabbara Plains Road and Joes Box Road are local roads under the management of Kyogle Council and that any queries about those roads should be directed to the council. Transport for NSW's map of road network classifications also agrees with the correspondence received by this individual. I am concerned that NSW Parks and Wildlife Services has exceeded its authority and issued a penalty on the presumption that it possesses ownership of these roads, when in fact it does not. This is disturbing and far from an isolated trend and must be rejected, reviewed and renounced.

Another disturbing trend, which is backed by the Coalition, regrettably, is the development of joint management plans with Aboriginal custodian groups. Correspondence received by Access for All Incorporated from the NSW Parks and Wildlife Service on 18 August 2023 reads:

NPWS, in partnership with Aboriginal communities, is undertaking consultation and development of a proposal for a new model for Aboriginal joint management of national parks and reserves. The proposal for the new model is to provide for the potential handback of title to all NSW National Parks over a 15 to 20 year period.

At budget estimates a year ago, I asked a senior bureaucrat whether the rumours of a plan to hand all the national parks over to Aboriginal groups are true. The bureaucrat said that that is the long-term plan. I would imagine that they do not want the public to know, because there would be a pretty big rally out the front. Joint management plans represent a threat to public access to national parks, and the words of the Minister's department are that they may have their eyes set on all national parks in New South Wales. The bureaucrat told me the long-term plan is to give freehold title to all national parks to Aboriginal groups. This is chilling and undemocratic. It is law based around someone's family tree.

The petition presented to this House is a clear call to action for the Government to reassess its approach to the management of national parks. The right of the public to access and enjoy our national parks while ensuring their preservation for future generations is imperative. I urge the Government to heed the voices of the people and to work collaboratively to develop a strategy that respects both conservation and public access. As a Parliament we can do that via a public inquiry. Minister Sharpe responded to the petition, saying that an inquiry is not supported at this time and that:

The Government's preference is to instead continue to engage and work directly with local communities and stakeholders. This is a more efficient way to find locally-based solutions and alternatives that are compatible with the protection of conservation values and visitor safety and ensure the ongoing enjoyment of our National Parks.

Clearly, the more than 27,000 petitioners do not share the Minister's view that this is the most efficient or most democratic path forward. This petition is a loud call to action for a public inquiry. Rejecting the call for an inquiry is both a political and an ethical mistake by the Government. An inquiry is the perfect opportunity for the Government to re-engage with all sides of the community and restore confidence in the management of national parks. An inquiry will bring public transparency to this issue.

I must also take this opportunity to query a strange claim made by the Minister in her response. She said:

... NPWS staff do work alongside highly skilled volunteers to implement shooting programs to manage feral animals in parks under the Supplementary Pest Control Program. That includes volunteers from the Sporting Shooters Association of Australia.

I have no doubt that this program exists, but I cannot say that it is a terribly effective program.

Ask anyone from the bush: Pigs, deer and feral cats and dogs are an escalating menace. Allowing recreational hunting in national parks would result in a natural cull of those feral and destructive animals. I remind the House that in February last year I called for an inquiry into the closure of Mount Warning National Park. Minister Sharpe assured me that the issue of closure versus reopening was still a live issue, that more time was needed to consult with the community, and urged me to pause my push for an inquiry. In goodwill, I obliged the Minister but, after a year, we have seen no new developments with Mount Warning or any other national parks that have been closed. The time is ripe for a parliamentary inquiry into national parks more broadly.

I urge the House to support the motion of the Hon. Mark Banasiak, which will call for an inquiry, when he moves it next sitting week. I thank him for that. I urge the people listening to the debate to continue to make noise, because a quiet issue is a dead issue. Elected members must remember that national parks belong to the people and must be accessible to all. They must not be locked up or restricted to special groups based on their racial ancestry. Parks for the people.

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

*Visitors***VISITORS**

The PRESIDENT: I acknowledge guests of the Hon. Courtney Houssos who are present in the gallery, refugee and asylum seeker participants from the CareerSeekers' internship program. I acknowledge also members of the board and staff from CareerSeekers. You are all very welcome. I also welcome Todd Lynch, MBA, FGIA, a guest of the Hon. Aileen MacDonald who I am advised is a member of the Port Macquarie branch of the Liberal Party.

*Questions Without Notice***LOCAL SMALL COMMITMENTS ALLOCATION**

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Special Minister of State. On Tuesday the Minister advised the House that when he became aware there was a question about whether the Sydney electorate commitments were election commitments, he asked his office to clarify. How did the Minister's office clarify that question, and what evidence did the Minister rely on to determine which projects were election commitments?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:01): I thank the Leader of the Opposition for his question. As I have advised the House on a number of occasions, I was aware of the question about whether the Sydney electorate commitments were election commitments and I asked my office to clarify that. Once I was assured the commitments were accurate, I assessed and approved the relevant briefs when they came to me. As I also updated the House, I assessed the project on the basis of the brief provided. That brief is publicly available. That was the information that gave me the assurance that these commitments were in accordance with the guidelines in the way that others were. Those formal briefs provided that information.

The Hon. DAMIEN TUDEHOPE (11:02): I ask a supplementary question. The Cabinet Office disclosure logs show that in July 2023 there was only one election commitment listed for Sydney for \$400,000. That then became nine election commitments on 28 July 2023. On 1 February 2023 the Premier's office reduced the list to just seven election commitments. On what basis does the Minister believe the candidate for Sydney made seven election commitments and not nine or one?

The Hon. Daniel Mookhey: Point of order: The member has asked a new question, not a supplementary question. The level of additional information that was provided without reference to the earlier question makes clear that it is a new question. It might be a good question, but it should be asked at the Opposition's next opportunity.

The Hon. Mark Latham: To the point of order: The point of order taken by the Treasurer is absurd. He complained that the question asked for more detailed information on the same subject. That is obviously the point of a supplementary question. The question should be asked and answered.

The PRESIDENT: It is not fair to characterise the point of order taken by the Treasurer as absurd. However, on this occasion I do not uphold the point of order. The Minister has the call.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:03): The information I relied on was the briefs in front of me that supplied the information. As members discussed on Tuesday, one of those briefs, tranche 16, made clear that there had been errors with the list. Those were corrected, and I signed them off with that information in front of me. The formal briefs were the information I relied on.

The Hon. MARK LATHAM (11:03): I ask a second supplementary question. Will the Minister elaborate on his answers and explain to the House why, on four occasions in the various forums of the Legislative Council, he has failed to answer the question of when and how he first became aware that there was a question about whether the Sydney electorate commitments were election commitments? Who first told the Minister that, and on what date?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:04): I thank the member for his question. I have answered this question. I indicated that I became aware there was a question about whether the Sydney electorate commitments were election commitments. I do not recall exactly how I first became aware of it.

The Hon. Mark Latham: It was the Premier's office and Alex Greenwich and you don't remember.

The Hon. Sarah Mitchell: The one murky one that none of you can remember.

The Hon. JOHN GRAHAM: No, I indicated to the House when that information first came to my office. I supplied the date and also when the information was first indicated to me about the tranche 16 brief.

REGIONAL COMMUNITY CONSULTATION

The Hon. CAMERON MURPHY (11:05): My question without notice is addressed to the Minister for Regional New South Wales. How is the New South Wales Government lifting its standards when it comes to regional community consultation?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:05): That is an excellent question.

The PRESIDENT: Order! The Minister will resume her seat. Members will not make inane interjections. I will call members to order if they continue to do so.

The Hon. TARA MORIARTY: That was an excellent question from a fantastic regional member representing Labor in this place. Today the Premier and I announced that the new *Regional Communities Consultation Guide* has been published and gazetted.

[Opposition members interjected.]

Members opposite do not like good news. The guide outlines how our Government will improve our consultation process with regional communities. Our Government believes that real engagement informs better policies and decisions that will directly improve the lives of regional people in New South Wales. I give a particular shout-out to the member for Barwon, Roy Butler, for his productive engagement with the Government on the preparation of the guide. His advocacy was vital in ensuring that communities like his are not just spoken to as a tick-a-box exercise.

The guide is supported by transparency, accountability and best practice, and is a real reflection of what regional New South Wales wants. It is backed by legislation passed in Parliament last year and sets a clear standard about what regional communities deserve. As I travel around the State, communities tell me over and over again that they want to be part of decisions that are made that govern their lives. Often that is complicated by an approach that does not acknowledge the realities of regional and rural Australia, such as digital disadvantage, consultations during harvest time or impossible travel distances for in-person meetings. Whether it is about regulation change, new infrastructure projects or a new bill, the Government's guide will inform a tailored approach for better engagement with regional communities.

The guide was formed through engagement with 200 stakeholders in eight listening sessions held across the State, in Broken Hill, Wagga Wagga, Nowra, Lismore, Port Macquarie, Newcastle, Narrabri and Bourke. The Government also consulted with peak organisations such as the Country Mayors Association, the NSW Aboriginal Land Council, the joint organisations of regional councils and Local Government NSW. Our Government is committed to regional New South Wales and to improving upon the standards that were left to us. No more pork-barrelling; no more jobs for the boys. This guide has been rolled out to all agencies across government for their immediate use.

I am proud to be a member of a government that is acting to improve the lives of regional people. Regional communities deserve a lot better than they had for the past 10 years before our Government came to power. We take our engagement with communities across regional New South Wales very seriously. We are working very closely with them and listening to their advice to us about how they want to be consulted on decisions that are made about their futures.

The PRESIDENT: I welcome to the gallery student leaders from high schools across New South Wales who are attending the Secondary Schools Student Leadership program conducted by the Parliamentary Education and Engagement unit. I had the privilege of welcoming those students to Parliament House this morning. I hope they have had a fulfilling day. They are very welcome here for question time in the Legislative Council.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (11:08): My question is directed to the Special Minister of State. In August 2023 Rough Edges, a drop-in centre for homeless people in Darlinghurst, was invited to apply for a \$30,000 grant under the Local Small Commitments Allocation [LSCA] to assist people who are marginalised or suffer the deficits of mental health issues and trauma associated with homelessness. Its application was assessed as meritorious, and the Minister was sent a brief recommending approval of this LSCA grant. Why then did the Minns Labor Government renege on the \$30,000 offer?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:09): I thank the member for her question. As I have

previously indicated to the House, the process was that I signed off on the briefs that were recommended to me by the program office as being the election commitments in the Sydney electorate. That list was corrected at one point, but the projects that were recommended to me that I was confident fitted the grant guidelines are the ones that I signed off on. That is consistent with the issues that I have already updated the House on. The member now refers to one of those projects. I simply make this additional point: We are debating funding going to homelessness services in the Sydney electorate.

The Hon. Sarah Mitchell: Point of order: There is no suggestion in the question that we are debating whether or not money should be going to a homeless service. The question specifically asked why the Government reneged on funding for that organisation through the Local Small Commitments Allocation.

The PRESIDENT: There is no point of order. The Minister was being directly relevant. The Minister has the call.

The Hon. JOHN GRAHAM: I was making the point that the vast bulk of the money in the Sydney electorate went to homelessness services doing important work, like Homelessness NSW, Shelter NSW, the Matthew Talbot Hostel—whose good work is known to many members—and the Wayside Chapel. That is where the money went. Those projects have received grants under this fund. They are all doing good work. This is all money that is desperately needed. Those organisations have put it to good work, and we should not be casting a shadow on what they are doing. Members are right to ask about the process. The process is clear in the briefs available to members. I encourage members to look at the briefs if they have questions about exactly what the basis was on which I made those decisions. If members read about what those organisations are doing, then they would understand why they were recommended to me and why I followed the recommendation of the Local Small Commitments Allocation program office. They were recommended to me as being of merit and good value for money, so I signed off on them.

The Hon. SARAH MITCHELL (11:12): I ask a supplementary question. I thank the Minister for his answer. I ask the Minister to elucidate his answer. He first said that he approved what was sent to him in a brief but then mentioned that the list was corrected at some point. Will the Minister clarify whether the grant for Rough Edges was one of the so-called corrections that were made at a later date? What input or information did the Minister have into that correction, and how was the decision made to inform Rough Edges that its grant had been cancelled and the reasons for that cancellation?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:12): The information that I had access to is in the tranche 16 brief. I will take on notice those other matters, because they would have been dealt with by the program office. They are not unreasonable questions. The information that was available to me is in that tranche 16 brief. I believe it is one of those projects, but I am happy to take that question on notice.

The Hon. MARK LATHAM (11:13): I ask a second supplementary question. Will the Minister elaborate on his statement that the grants overwhelmingly went to homelessness services in the Sydney electorate? How does he explain the Will2Live grant, which was changed at 40 Botany Road, Alexandria—a site the Minister knows well—from food relief of \$10,000 to a \$100,000 capital grant for a kitchen, for the financial benefit of Brent Maksimovich and his two companies, who has been a financial supporter of the member for Sydney?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:13): The member has asked a range of questions about how this project was assessed, and I have answered them. It was recommended to me as being in the guidelines. I would be happy to provide the details to the House about exactly what the merits of the program were, but they were doing good work, providing assistance to people in need in the Sydney electorate. On the question of what it was assessed on, in the information that was presented to me, it was dealt with in tranche 25 of the recommendations. I made my assessment and my decision based on the basis of the brief provided. It was recommended to be approved. The advice to me from the LSCA program office, which has been passed to the member, is that the grant was never assessed at \$10,000. It was assessed at the value of \$100,000 after the LSCA program office received the corrections to the nominations list. That work was done by the program office. I signed off on that matter as it was recommended in the brief that came to me.

WATER SHARING PLANS

The Hon. MARK BANASIAK (11:15): My question is directed to the Treasurer. Has the Treasurer budgeted for the New South Wales Government's compensation liability under the National Water Initiative triggered by the changes made by the Department of Climate Change, Energy, the Environment and Water to water sharing plans that erode farmers' water property rights?

The Hon. DANIEL MOOKHEY (Treasurer) (11:15): I thank the member for his question. I will have to take that on notice. It is an interesting question as to whether I have budgeted for it. I will simply have to check, get some more detail and provide it to him. I will see if I can do so before the end of question time. I would simply point out that the budget is due shortly.

The Hon. MARK BANASIAK (11:16): I ask a supplementary question. I thank the Treasurer for his answer. In seeking whether it has been budgeted, is the Treasurer prepared to table in Parliament all departmental reports since 2014 detailing compensation risks arising from those proposed changes to water sharing plans, as required under the National Water Initiative?

The Hon. DANIEL MOOKHEY (Treasurer) (11:16): I thank the member for his supplementary question, which I will also take on notice. In respect to that question, I can only answer that from the position of the time this Government was sworn in. I do not think I am allowed to release the former Government's advice.

M12 MOTORWAY

The Hon. ANTHONY D'ADAM (11:16): My question without notice is addressed to the Treasurer. Will the Treasurer advise the House on the construction of the toll-free M12 motorway and how this joint investment with the Federal Government will help drive employment and provide improved infrastructure for motorists?

The Hon. DANIEL MOOKHEY (Treasurer) (11:17): I thank the member for his question and for his ongoing interest in roads in south-western Sydney to the new airport. On Thursday 3 April, I was pleased to join the roads Minister, the member for Leppington, the member for Liverpool and the Federal member for Werriwa at Badgerys Creek. We were there to celebrate the major construction milestone for the toll-free M12 motorway—14 kilometres of road completed on time and, I am advised, relatively on budget, and ready to service the Western Sydney airport when it opens to our communities next year. That leaves only two more kilometres in the project connecting our nascent M12 to the existing M7.

I am happy to say that this marks the first time the public can drive the full length between the Northern Road and the Elizabeth Drive off-ramp at Cecil Park. This will deliver services to and from Nancy-Bird Walton airport, moving freight and commuters. Importantly, this vital link will be without tolls and publicly owned, proving that it is possible to ease congestion, improve travel times and further connect Western Sydney without adding to the costs of households. This outcome is proof that the Government is serious about driving employment and providing improved infrastructure for motorists. It is an enabling investment not only for the airport but also for the industrial lands that surround the airport, particularly at a time when there is an industrial land shortage in Sydney.

The Hon. Mark Latham: Like what? It is land with no buildings.

The Hon. DANIEL MOOKHEY: For example, the capacity to connect what will be quite an interesting region over the next 30 years, which is determined to use the 24-hour capacity to travel from the airport. I know the Minister for Regional New South Wales is very excited about that capacity to connect to supply chains in Asia because there are lots of agricultural businesses that are desperate to be able to—

The Hon. Mark Latham: You are sounding like Stuart Ayres.

The Hon. DANIEL MOOKHEY: I do not accept that interjection. Those businesses are very desperate to be able to use the capacity to connect into those markets for just-in-time deliveries for flowers, food and fibre, and that is exciting. Equally, we want to make sure that this is enabling jobs in the area because we should be creating jobs close to where people live. We should be building great infrastructure to enable them to do that. To the extent to which that is then catalysing further private sector investment, particularly in our freight distribution and industrial land sector, that is a good thing. We need more capital investment in the economy right now to boost growth. We need that to create jobs. We want to create jobs locally. We are glad that this project is helping us meet that task. We look forward to providing the House with more updates.

POLICE SERVICE FIREARMS

The Hon. ROBERT BORSAK (11:20): My question is directed to the Hon. Tara Moriarty, representing the Minister for Police and Counter-terrorism in the other place. In answers to questions on notice, the police Minister revealed that four currently serving New South Wales police officers subject to an apprehended violence order [AVO] have access to their service firearms. Will the Minister provide the risk assessment process which informs the exemption that allows these officers to carry their service pistols on duty, especially as they are exempt from requiring a firearms licence?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:20): I thank the member for this question, which has been

asked to me in my capacity representing the Minister for Police and Counter-terrorism. I cannot remember. I signed off on those answers provided on notice, but I cannot remember the specific detail. I note the member's ongoing interest in these kinds of issues, but I will have to seek some further advice from the Minister for Police and Counter-terrorism about the detail of this question. I will come back to the member and to the House.

The Hon. ROBERT BORSACK (11:21): I ask a supplementary question. Will the Minister elucidate on the impact of clause 130 of the Firearms Regulation 2017 on the use of service firearms outside of duty hours by police subject to apprehended violence orders and provide the guidelines to the Parliament to inform how a police officer subject to an AVO can carry their service pistol when off duty?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:21): I thank the member for the supplementary question. It is an important issue. I am not familiar with the actual register and rules around how these things work inside of the NSW Police Force, but it is a serious question which has also been asked of me in my capacity representing the Minister for Police and Counter-terrorism. Given the specific nature of it, I will get some detailed answers and come back to the member and to the House.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. NATALIE WARD (11:22): My question is directed to the Special Minister of State. On 20 October 2023 the Special Minister of State directed the Local Small Commitments Allocation [LSCA] program office to conduct a conflict of interest process involving 15 electorates. In an email to Cherie Burton in the Premier's office dated 21 October 2023, Alison Morgan, head of the LSCA program office, said:

Hi Cherie, in our meeting yesterday you confirmed that you had consulted with Alex Greenwich about the organisations in his electorate to be nominated to fulfill the Government's commitment to allocate LSCA funding to homelessness services. We will need to include Alex Greenwich in our COI process.

Why was the member for Sydney not included in the conflict of interest process, despite his role in nominating organisations for LSCA funding?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:23): I thank the member for her question. She is entirely correct that I did direct the agencies to follow a conflict of interest process in addition to the significant conflict of interest processes that were already in place from the very beginning of this program. As the public service and I have made clear to the House's committees, that was additional and extra protection for this scheme. The advice to me was that this was not required, that it was additional and would, in fact, be quite cumbersome. I did insist on it because (a) the public has a right to know about this and (b) there were a number of questions that I thought were reasonable that have been asked about this, so I insisted on that additional process being imposed over the top so that it was very visible to the House and to the public if there were questions about it.

In relation to the question about why the member for Sydney was not involved in a conflict of interest process, these were election commitments when they came to me and when I signed them off. Whether the member for Sydney was subsequently consulted should not have influenced the decision. On the basis of the information that came to me, these were election commitments. They were recommended to me to sign off, and I signed them off.

The Hon. NATALIE WARD (11:25): I ask a supplementary question. I thank the Minister for his answer, noting his commitment to the significant additional cumbersome conflict of interest processes that he put in place. But noting that, I ask him to elaborate on his answer given that Ms Morgan said the member for Sydney would have to be included in the conflict of interest process and he was not. Was it the Minister or the Premier who directed the program's office not to include the member for Sydney in the conflict of interest process?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:25): I directed the program office to undertake the conflict of interest process in relation to election commitments. I do not believe that issue about the member for Sydney came to me. Members can see for themselves the information that came to me in those briefs about the electorate of Sydney. They are all publicly available. Look at those briefs. As I have made clear to the House, I was concerned that if something was not an election commitment, I could not sign it off. That is clear in the grant guidelines. That was clear to me in the briefs. I did sign those off. They were recommended to me. The formal paperwork on which I made that decision is available to members.

The Hon. MARK LATHAM (11:26): I ask a second supplementary question. Will the Minister please elaborate on his answer? Given what he now knows, particularly that at least one document held by his office clearly points to the involvement of Alex Greenwich in changing these grant allocation amounts, will he now order a conflict of interest process for Mr Greenwich and the appropriate probity advice that comes with it?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:26): No, for the reason that I have outlined to the House that I was aware there was some question about whether these were election commitments. I asked for—

The Hon. Mark Latham: Do it now, John, for goodness sake.

The Hon. JOHN GRAHAM: No. For the reason I have outlined, I was aware there might be a question about whether these were election commitments. I asked for clarification. The briefs provided that clarification. As is quite clear, the list was corrected and I was comfortable signing off, and that is on the basis of the recommendation to me. That recommendation was contained in the formal paperwork. Members should look at those briefs.

CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

The Hon. MARK BUTTIGIEG (11:27): My question without notice is addressed to the Minister for Energy. How is the Central-West Orana Renewable Energy Zone delivering benefits to local communities?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:28): I really thank the honourable member for his question. I am very pleased to inform the House that the bipartisan energy road map is well underway and Central-West Orana is a go. We have just approved 10 renewable energy projects that will connect to the Central-West Orana Renewable Energy Zone and transmission lines. Those projects will deliver just over seven gigawatts and power more than half the homes in our State. They will also bring \$20 billion worth of investment, 3,200 jobs during construction and 870 jobs ongoing in that region. That is on top of having the project approved and also working with a network operator to build the transmission lines that are required. That is significant progress, and I am very pleased to report it to the House. Importantly, all of this progress means that the community has more certainty in relation to the development and they also know now that the community investment and community funds will start to flow into the projects. This is also important progress.

Recently I was pleased to travel with the Hon. Tara Moriarty to stand with the representatives of the four local councils as the Government announced \$60 million worth of projects for the Central-West Orana Renewable Energy Zone. I thank Mayor Des Kennedy, Mayor Kathy Rindfleish, Mayor Maurice Collison and Deputy Mayor Phillip Toynton, who was there on the day, for their constructive work. I also give a shout-out to Ambrose Doolan, who was the previous mayor of Warrumbungle Shire Council, whom I have had very good discussions with over a period of time. This funding will be for many different projects in the area, including really important legacy projects. Key worker housing projects, critical water infrastructure, training centres, pre-schools and health services will all be delivered as a result of this renewable energy zone.

The Government is also funding local communities to do great work by boosting sporting and cultural events and tourism, and improving the halls and sports grounds where communities come together. The Hon. Scott Barrett will really like an important project that has been funded: a mental health program for shearers across the Central West. For those in Coolah, Cassilis, Dubbo, Dunedoo, Gilgandra, Gulgong, Mudgee or Wellington, this investment is coming. The transition is underway. It is not without its challenges, but the community benefits are beginning to flow. This is an extremely important update. I welcome the work of all those who have been involved to date. I also thank those who are continuing to work with the community through some of the challenging aspects as this project is rolled out. But work is underway and the Government looks forward to seeing the transition occur.

ENERGY SECURITY CORPORATION

Ms ABIGAIL BOYD (11:31): My question without notice is directed to the Treasurer. It has now been almost 11 months since the Parliament passed legislation to establish the Energy Security Corporation [ESC], and three months since I was last told in this House that appointments were imminent, and the Treasurer has still not appointed the board of this apparent flagship energy initiative. Given that under the legislation a CEO cannot be appointed and no investment mandate can be approved until the board is in place, how can the Treasurer justify the failure to properly establish the ESC and kickstart the much-needed development of energy security infrastructure in this State?

The Hon. DANIEL MOOKHEY (Treasurer) (11:35): I thank the member for her question. I appreciate the fact that she asked it to me, which is very good. I am really pleased with that, because I know that the Leader of the Government has had to absorb a lot of the scrutiny on such questions. I have been sitting there thinking, "I'm not getting these questions," but it could be worse.

The PRESIDENT: I call the Hon. Wes Fang to order for the first time.

The Hon. JOHN GRAHAM: The member is quite right to hold me and Treasury to account on this question. The Government is working through the candidate selection process as we speak. We are in a position to provide an update in that respect to say that the selection process is continuing. The part of the question that I dispute is the view that not having selected the board is somehow stopping the formation of the company. That is not the case. The Government is trying to stand up as much of it at the same time. I know the member has had a long interest in the corporation's investment mandate and when it will roll out, but I think it is an unfair characterisation to say that finalising the board is delaying the capacity of the Government to establish the corporation. I do not accept that as a fair reading of the facts.

The Energy Security Corporation is an important new institution that the Government is forming. I know that the member supports it. The Government wants to get this right, because it is asking this institution to invest public money in a way that crowds in private investment to help us meet one of the most difficult parts of the energy transition: to direct investment into long-duration storage, which is really important to provide energy stability. As the energy Minister has already told the House, it is crucial that this happens at the same time as we build the renewable power infrastructure we need to power our growing economy and growing State.

This is a tough challenge. There is a reason why the Government thinks we need an institution like the Energy Security Corporation. It has a very important job. It is what I would describe as the pituitary gland of investment. It is there to direct investment to a particular part of the body politic that we require to get this energy transition right. I absolutely accept the explicit and implicit criticism of the member in her question that the Government should be faster in getting on with the job of setting up the board. I look forward to updating the House further, but I do not accept the view that it is delaying the important work of the Energy Security Corporation.

Ms ABIGAIL BOYD (11:34): I ask a supplementary question. Will the Treasurer elaborate on the governance arrangements regarding board appointments and explain how the decision to use an external recruitment firm to select a union representative does not undermine the genuine tripartite structure of worker representation on government boards and open the door to future government interference in worker representation?

The Hon. DANIEL MOOKHEY (Treasurer) (11:35): One could argue that that is a new question, but I will not. I will answer it. Firstly, again, I do not accept the characterisation of the process. I am sure that the member would rake me over the coals if the Government did not use a firm to vet candidates. Secondly, that firm is vetting candidates supplied by unions. That is the issue. It is not like the Government said, "We are going to set aside that legislative requirement and use the firm to do the job." We asked the union movement to come forward with candidates, which it did. It then put them forward for selection through the process. This was all known. To be fair to the union movement, that is precisely the process it asked for—to be able to nominate the candidates—and it has. The Government still has to follow Treasury rules and guidelines and public probity. All those requirements are still there. It is not like I can set aside all the requirements that have to apply under law when it comes to selecting directors. They still need to be met.

I thank the trade union movement for helping the Government work through the complexity of acting on the Parliament's will to ensure that there is a union representative on the board, which is a good idea. But we have to reconcile that legislative obligation with all the other legislative obligations we have to ensure that probity standards are met. It is not like I can just do that without any process. That was the point that I understand was canvassed when Parliament debated the matter. That is fine; it is what it is. I absolutely reject the view that this somehow comes at the expense of unions being able to nominate candidates. I stress that this is exactly the same process that applies to business communities as well. The Government has to make sure there is genuine tripartism in this institution, which is not mutually exclusive of the probity requirements that we are still under. We have found a way to reconcile those two processes.

The PRESIDENT: I welcome to the Parliament student leaders from high schools from across New South Wales who are attending the Secondary Schools Leadership Program conducted by the Parliamentary Education unit. I believe they have just come from question time in the Legislative Assembly. Welcome to the slightly more cerebral and hopefully better behaved Chamber. They are all very welcome. I also welcome students from Newcastle High School who are participating in the Legal Studies and the Legislature program conducted by the Parliamentary Education team. They are all very welcome as well.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. CHRIS RATH (11:37): My question is directed to the Special Minister of State. On 20 February 2024 the Local Small Commitments Allocation [LSCA] program office sent an email to Will2Live stating:

Your organisation received an email from the Premier's Department in August 2023 advising that your organisation had been nominated to apply for a \$10,000 grant under the Local Small Commitments Allocation (LSCA) Grant Program to support your work in providing essential services to vulnerable members of the Sydney electorate. This nomination is an election commitment made by the NSW Labor Government. I am pleased to advise that the initial grant amount has now been increased to \$100,000.

Why was this initial grant amount of \$10,000 increased to \$100,000? Where did the Government get the extra \$90,000 to offer to Will 2 Live?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:38): The honourable member has asked a version of this question before and I have answered it clearly. The grant process that came to me in tranche 25 was for \$100,000. This is the work of the LSCA program office and was obviously not done by me. I was advised by the program office that the grant was never assessed at \$10,000; it was assessed at \$100,000 after a correction was made to the list. I have to work on the basis of the information that came to me. To be clear on what this organisation is up to, this grant was about getting food to homeless people.

The PRESIDENT: If the Hon. Sarah Mitchell wishes to ask a question, she will not do so while seated. The Minister has the call.

The Hon. JOHN GRAHAM: They are getting food to homeless people. The beneficiaries of this project will be people experiencing homelessness or food insecurity in the Sydney electorate. The grant was for facilities to enable food to be prepared. It was recommended to me and scored well on the benefits to the community. It scored five out of six on value for money and five out of six on deliverability. If members look at the brief that came to me, they will find it compelling what this small amount of money would do for the lives of homeless people in the Sydney electorate. I signed it off. There is nothing in this brief that would have caused me to be concerned about what this organisation was doing or about the small amount of money that would make a significant difference to their work. Members have subsequently asked questions about it, which is fine. That is entirely legitimate. I have attempted to provide as much information as I can about this project. I do not know a lot about the work they are doing directly, but on the basis of the information that was provided to me, this food relief program is doing good work. It is one of the reasons why a program like this was created.

The Hon. CHRIS RATH (11:41): I ask a supplementary question. Will the Minister elucidate whether he took \$30,000 off Rough Edges, which help the homeless, and gave that money to Will2Live?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:41): No, I do not accept that characterisation. The information that came to me set out the election commitments, the amounts of money, and I then signed off on those briefs.

PUBLIC LIBRARIES

The Hon. PETER PRIMROSE (11:41): My question without notice is addressed to the Minister for the Arts. Will the Minister update the House on how the Government is supporting libraries across New South Wales?

The Hon. Damien Tudehope: This is a bit of light relief, isn't it?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:42): I cannot believe the Opposition did not ask me this one. I acknowledge the Hon. Peter Primrose and the many strong supporters of libraries in the Chamber. But I would describe the Hon. Peter Primrose as the strongest of those based on the hard work he has done. That is a subject for debate, and I encourage members to debate it. I will update members about what the Government is doing to support the extensive network of public libraries across the State. There are 364 public libraries, and every year they have 26 million visits. That is one of the reasons we are investing \$165 million over the next four years in the library network. As part of the \$6 million for the annual Public Library Funding Strategy, 23 library infrastructure projects are being funded across the State.

I want to update members because this is of interest and I will give some examples of the projects. In Albury City Council, \$198,000 is being invested for a refurbishment of Albury and Lavington libraries, including enhancements to Albury library's kids space, info and collections zones; use of space and access at Lavington Library; and extension of collection access in the city's new growth areas. I know that library very well. I borrowed books in the Albury library as a kid. It is a remarkable place. Bega Valley Shire Council is getting \$150,000 for a fit-out, furniture and shelving upgrade. Broken Hill City Council is getting a grant of \$500,000 for furniture and shelving in the public spaces. Campbelltown City Council is getting \$49,850 for acoustic remediation for the building that will house the relocated Campbelltown HJ Daley Library. At Yass Valley, \$200,000 is going towards the construction and fit-out of the children's space. They are some examples of the investments.

As members have indicated, I know libraries are important to them. I learnt this when I gave my inaugural speech in this Chamber and made the mistake of saying how much I loved libraries. Members all burst into laughter. What I did not know was that, to fill in time for parliamentary debates, the former Government had introduced the libraries bill which was debated in the Chamber for weeks on end. I turned up with this declaration of love for libraries, and members in the Chamber started laughing at me. As a new member, I was totally confused. But I learnt the lesson of how important this is. Sadly, in contrast, the music sector is not such a fan. The team looked for a song about libraries and just could not find one, so I apologise for that.

MEDICINAL CANNABIS

The Hon. JEREMY BUCKINGHAM (11:45): My question without notice is directed to the Minister for Agriculture. The licensing process for growing medicinal cannabis in Australia is lengthy and expensive. In contrast, there are no fees for a licence to import medicinal cannabis. In 2023, 61 per cent of Australia's medicinal cannabis supply was imported. What is the Government doing to support the development of the medicinal cannabis growing industry in New South Wales?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:45): I thank the member for this question. He has a longstanding interest in this industry but also this product area. I put on record at the first instance that while cannabis can be legally cultivated in Australia, it is through the national scheme. So licensing issues are for the Commonwealth Government. Cannabis can be legally cultivated in Australia through the national scheme under the Narcotic Drugs Act 1967. It can be manufactured into products for research, clinical trials or used by patients in accordance with the Therapeutic Goods Act 1989. The Australian Government's licence and permit system controls the quantities and the strains of cannabis that be cultivated in Australia. Again, it is a Commonwealth issue. I am sure that the member is engaging with the Commonwealth Government. I am happy to work with him to raise these issues with the new Labor Government about the importation and licensing issues that have been raised in this question.

In reference to support for the medicinal cannabis industry, the New South Wales Government, through the Department of Primary Industries and Regional Development, was a major research partner in a four-year project that was led by the Khan Group, with \$2.7 million in funding from the Commonwealth Government Cooperative Research Centres [CRC] program. The outcomes for that project include development of new cultivation systems that double the yield for cannabidiol, with no additional inputs through adjusted lighting regimes; and reducing times required within the cultivation cycle by 22 per cent for allowing an additional crop growth each year. So there has been work to assist the industry to become more productive. It is a significant industry. There are opportunities for Australia and for New South Wales to grow our abilities and the product in this State. I am happy to work with the member and the Commonwealth Government on other opportunities, in addition to the kind of research that the New South Wales Government has done to support the industry.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. NATASHA MACLAREN-JONES (11:48): My question is directed to the Minister for Homelessness. Has the Minister or anyone in her office had any consultations with the Special Minister of State or the Premier's office regarding which homelessness services in the Sydney electorate should receive a share of the \$400,000 allocation of funding under the Local Small Commitments Allocation to "support their work with providing essential services to vulnerable members of the electorate"?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:48): I thank the member for the question. The answer is no. This is a process that, as the Special Minister of State has outlined, is an election commitments process. A lot of good organisations are on that list, and I support their work. We have funded them through some of our specialist homelessness services and Homelessness Innovation Fund projects as well. But in relation to this particular process, we have not been involved in the delivery or development of those.

The Hon. NATASHA MACLAREN-JONES (11:49): I ask a supplementary question. Did the Minister for Homelessness or her office have any input into the allocation of a further \$105,000 from the Premier's Discretionary Fund to homelessness services in the electorate of Sydney to make up for reneging on the offers of funding of \$50,000 to Wayside Chapel, \$30,000 to Rough Edges and \$25,000 to St Canice's Kitchen?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:49): I thank the member for the question. Similarly, the answer is no. The Premier makes decisions about the allocation of funds under his discretionary fund. That is not something we are generally consulted about. We were not specifically consulted about those decisions.

HOMELESSNESS INNOVATION FUND

The Hon. Dr SARAH KAINE (11:49): My question is addressed to the Minister for Housing. Will the Minister update the House on how the New South Wales Government is continuing to provide safe, stable and supportive housing for women in need?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:50): Yes, I will. I am pleased to update the House on some recent developments regarding one of the programs that I just mentioned, the Homelessness Innovation Fund. The Government is specifically using that fund to try to change the game when it comes to homelessness. We are experiencing particular challenges with homelessness as a consequence of the cost-of-living crisis. Members may have seen the results of the recent street count that were released earlier this week. Unfortunately, we continue to see high levels of homelessness in New South Wales. Unaffordable housing and unaffordable rentals hit the vulnerable the hardest. They find it the most difficult to get a secure roof over their head. Experiences of homelessness are still too common in New South Wales. The Government wants to do something specific, practical and innovative about that, which is why it has put \$100 million into the Homelessness Innovation Fund.

I was pleased to visit Detour House in Glebe, which is doing incredible work with a grant of \$460,000 to specifically support transitional housing for women leaving drug and alcohol rehabilitation. People would be familiar with the fact that drug and alcohol rehab is an important part of dealing with addiction, but it is a relatively short-term intervention. It is a three-month program in which people are supported to confront the challenges they have with addiction. The reality is that three months is often not enough time for people to get the rest of their lives back on track. It is a good intervention for their underlying addiction, but when it comes to unstable housing, reuniting with family, finding employment and getting the rest of their lives back on track, they need more time.

The Government has supported Detour House with \$460,000 to open a transitional housing facility next door to its rehab so that when women are exiting rehab, they have transitional housing to go to. I met many wonderful women onsite at Detour House. They were so pleased to have been through rehab and to have dealt with their drug and alcohol addiction, but they were even more pleased to have transitional housing to move into so that they can commit to their recovery journey. The alternative to transitional housing for those women is temporary accommodation. We know that can often be a difficult place to stay on the recovery journey. The \$460,000 for Detour House to provide that transitional housing is just one of many examples of programs being funded under the Homelessness Innovation Fund to support the journey to long-term housing.

COROWA DISTRICT HOSPITAL SURGERY SERVICES

Dr AMANDA COHN (11:53): My question is directed to the Minister for Finance, representing the Minister for Health, and Minister for Regional Health. Surgical services at Corowa hospital have been suspended since May 2024 despite being initially described as a temporary pause to bring facilities up to standard. Over one year later, surgeries have not resumed. Patients are being redirected to join the more than two-year waitlist at Albury Wodonga Health for minor operations. Albury Wodonga Health is already unable to meet local demand for elective surgeries. It is a rare regional community that actually has the appropriately skilled health professionals ready to serve. When will operating theatres at Corowa hospital be able to resume service?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:53): I thank the member for her question, asked to me in my capacity representing the Minister for Health. I acknowledge that the member comes from that area of the State and that I am broadly familiar with it. I have been to Corowa myself. I have information to share with members. NSW Health is committed to providing safe, high-quality and timely care to patients in the Corowa community. I am advised that in May 2024 the Murrumbidgee Local Health District made the decision to temporarily pause surgery at Corowa hospital to allow for required maintenance in operating theatres while the replacement of air filters was completed at Corowa hospital in June 2024. Subsequent testing identified that additional work was required to meet the required standards.

I am advised that following an independent review of services, the district has committed to establishing an endoscopy centre at Corowa hospital. The district is now proceeding with equipment upgrades that will allow surgical endoscopy services to resume in June 2025. Endoscopy cleaning units have been purchased, and minor infrastructure changes to the current Corowa theatre area are in progress. A procurement process has commenced and endoscopy services are expected to resume by June 2025. Currently, patients requiring services are transferred to Deniliquin or Wagga Wagga to access such services.

The district will continue to work with individual patients who require planned surgery to ensure they receive care within appropriate time frames, and arrangements are being made for patients to undergo their

procedures at a nearby facility. There was a reference at the end of the question about the ability for a skilled workforce to work across regional areas. The member has a lot of expertise in that area. It is something that the Minister for Health is aware of. It shows how the Government, particularly the excellent Minister for Health, is finding practical ways to work through the challenges to ensure that we have access to important health services, whether they are in Corowa or elsewhere across the State.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SCOTT FARLOW (11:56): My question is directed to the Deputy Leader of the Government, and Special Minister of State. A document provided to the House is a photograph of an email from the Minister's then chief of staff, Mr Damian O'Connor, that is annotated with handwritten corrections, reducing grants to Rough Edges and Salvos from \$30,000 to \$0 and Wayside Chapel from \$100,000 to \$50,000, and increasing the grant to Will2Live from \$10,000 to \$100,000. Why was the Minister's chief of staff involved in the redistribution of those funds?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:57): I do not accept the premise of the question. I have answered the question previously. There is a public document. I was unaware of that document until it was part of a return. I have been clear about my understanding. I became aware that there was some question about whether the election commitments for the electorate of Sydney were correct. I asked for that to be clarified. The briefs then came to me. I was satisfied and signed them off. That is all documented and clear. Members should look at that if they have questions. I do not mind members asking questions about the process. Members know that I take the process seriously. I can assure them that I took that process seriously. I have signed off on what I was advised were the election commitments for the electorate of Sydney. The funding went to good organisations. It went to organisations doing work for homelessness. One of the projects that received funding was the Matthew Talbot meal program, which received \$50,000. It is a program that aims to provide a nutritious meal—

The Hon. Chris Rath: Point of order: The Minister is not being relevant to the question asked by the Hon. Scott Farlow. I am sure they are all worthy projects, but the question was incredibly specific about funding allocation, not about the various organisations' purposes or activities. I ask that he be drawn back to the question.

The Hon. JOHN GRAHAM: To the point of order: I ask for some latitude. I have directly answered the questions that have been put to me today, as I usually do. I would like to put on record the work of the Matthew Talbot Hostel, to which the allocation, which members opposite have asked multiple questions about, is going.

The PRESIDENT: While I understand the point that the Minister makes, I do not accept the characterisation. The Minister is welcome to answer a Government question on the Matthew Talbot Hostel, but it is not relevant to this question. I uphold the point of order. The Minister has the call.

The Hon. JOHN GRAHAM: In that case, I have concluded my answer.

The Hon. SCOTT FARLOW (11:59): I ask a supplementary question. Given the Minister's answer, and his categorisation of how seriously he has taken his responsibilities with respect to this grant allocation, will the Minister explain the document that was formally written on by his former chief of staff? Has he asked his former chief of staff or the Premier's office about this document?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:59): I am aware of the document. I have viewed the document. I have not spoken to my former chief of staff. He no longer works for me, but I wish him well. He did superb work when he was there. I have repeatedly been clear to the House that the basis on which I made these decisions—and I was careful to do so—were the formal briefs put in front of me, so that it was really clear what the basis of the decision was. Those briefs are available to members, and they should read them. If they did so, they would see the great work of the Matthew Talbot Hostel in helping homeless people in this city.

The Hon. MARK LATHAM (12:00): I ask a second supplementary question. Will the Minister elaborate, in reference to the document that has been cited by the Hon. Scott Farlow—

The Hon. Penny Sharpe: You've got Mark Latham helping you guys out.

The Hon. MARK LATHAM: I am trying to help the people of New South Wales with an honest allocation of public money. That is what I am trying to do.

The PRESIDENT: Order! The Hon. Mark Latham will ask his question.

The Hon. MARK LATHAM: Will the Minister, having examined this document, confirm that, regarding the annotations clearly responsible for changing these funding projects and allocations after the last New South

Wales election, the annotation "PO" stands for Premier's office and the annotation "AG" stands for Alex Greenwich?

The Hon. Courtney Houssos: Point of order: The Minister has been asked to provide a translation of a document that is not the Minister's. I suggest that the question should be reframed, because it is not the Minister's writing. It is not his documentation. The question is asking for his interpretation of a document that has not been provided here today.

The PRESIDENT: I appreciate the point of order, and I have substantial sympathy for it, but the Minister is able to answer the question in any way he wishes, as long as he is directly relevant. The Minister has the call.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (12:02): I have seen the document. I have confirmed that. It is publicly available. It has been for quite some time. But I cannot confirm what the member is asking about, which is precisely what was meant by those annotations.

The Hon. PENNY SHARPE: The time for questions has expired. If members have further questions I invite them to place them on notice. They can vent their spleen during the take-note debate.

Supplementary Questions for Written Answers

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (12:02): My supplementary question for written answer is directed to the Special Minister of State. In response to my question, the Minister said that he thought advice to him regarding the reduction of a Local Small Commitments Allocation grant offer to Rough Edges was included in the brief for tranche 16. Would he confirm if this was the case? If not, how and when was he formally advised of this reduction in the grant offer to Rough Edges? Will he provide this advice to the House?

COROWA DISTRICT HOSPITAL SURGICAL SERVICES

Dr AMANDA COHN (12:03): My supplementary question for written answer is directed to the Minister representing the Minister for Regional Health. In her answer, the Minister gave a really welcome commitment to return endoscopy services to Corowa Hospital by June of this year. When will the Government return the rest of the broader surgical services to Corowa Hospital, noting endoscopy is only part of what was previously available at that hospital?

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. MARK LATHAM (12:03): My supplementary question for written answer is directed to the Special Minister of State. Given that the Minister four times now has not been able to recall who first told him that in the electorate of Sydney the Local Small Commitments Allocation might not be election commitments, and thereby breach the guidelines because they had been altered by the Premier's office in collaboration with Alex Greenwich, will the Minister now assist the House on this important probity issue by answering whether he can rule out that Chris Minns or Cherie Burton first told him?

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. CHRIS RATH (12:04): My supplementary question for written answer is directed to the Special Minister of State. Will the Minister please inform the House under what section of the Local Small Commitments Allocation guidelines that funding for Will2Live was increased, or was this funding increase in fact a breach of those guidelines?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. CHRIS RATH: I move:

That the House take note of answers to questions.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. CHRIS RATH (12:07): I take note of answers given today by the Special Minister of State. It is important to remember how we got here with the Local Small Commitments Allocation—that is, that every electorate should be given \$400,000 in funding commitments. We know that through that process Labor candidates handed out money in exchange for political favours. It was deliberate pork-barrelling, where Labor candidates went to organisations and basically said to them, "If you support us during the campaign, we will give you this grant." It was not open to members of the crossbench. It was not open to members of the Opposition. It

was purely Labor candidates and Labor MPs that were handing out this money. The guidelines were supposed to be that the commitments that were made during the election campaign would be funded in government.

There was never any suggestion during the campaign, or after the election, or in the guidelines, that those amounts that were promised during the election campaign could be altered. The Minister keeps using the language that there were a "series of corrections to the source of truth document". Members will recall that source of truth document basically fell off the back of a truck. Cherie Burton does not know where she got it from. She got it in hard copy, but then there were supposedly corrections to the source of truth document later. Of course there were corrections. There were corrections because the amounts were altered from that source of truth document. The Hon. Mark Latham has pointed to what is essentially handwritten scrawl on a document that sat with the Special Minister of State through which amounts were crossed out or scribbled out and new amounts were put on. The annotation at the top says "PO" and "AG".

I wonder what "PO" and "AG" means. I do not think "AG" means Auditor-General or the Attorney General. We all know who AG was and we all know what office "PO" is referring to in this handwritten scrawl with amounts crossed out. There was never any suggestion during the campaign, or when the guidelines were put together, that amounts would be funded in an underhanded way just to benefit one member who is not a Labor MP or a Labor candidate. It was not open to anybody else. As I mentioned yesterday, it is not like the Community Building Partnership grants that are open to everyone. All elected members of Parliament can put forward grants under that program, and they are independently assessed. This was deliberate pork-barrelling.

COMMISSIONER OF POLICE

The Hon. MARK LATHAM (12:08): I take note of the answer to question No. 3061 on notice regarding referrals to the Law Enforcement Conduct Commission [LECC], asked by my friend and colleague the Hon. Rod Roberts and answered by the police Minister. The most prominent referral to LECC in this term of Parliament, of course, concerns departing police commissioner Karen Webb, who is now the subject of a second LECC investigation into her undeclared conflict of interest regarding the purchase of alcohol products from Michael and Karen Hope of the Hope Estate in Pokolbin. The LECC should lift its unnecessary and unexplained non-publication order on its Operation Askern report of August 2024 showing that, first of all, Karen Webb and her husband were family friends of Michael and Karen Hope, having travelled overseas to Bali on holiday together in March 2017, and having planned a second overseas holiday together, cancelled only by COVID in 2020.

Further, they went to social and charity events together. Mr and Mrs Hope attended Karen Webb's birthday parties. Furthermore, Karen Webb knew Mr Hope for more than a decade as a friend and business associate of her husband, Marc Webb. The Hopes were important enough to be invited personally by Karen Webb as guests to her swearing in as the police commissioner. The Karen Webb public excuse that she hardly knew the Hopes does not stand up. It misled the people of New South Wales and betrayed the high standards of honesty and probity a police commissioner in this State should always exercise.

The Government should remove Commissioner Webb immediately because she has engaged in serious misconduct due to the lies she has told about the nature of her relationship with Michael and Karen Hope, the origins and the extent of her taxpayer-funded alcohol purchases and her repeated failure to declare a clear conflict of interest regarding her relationship with the Hopes and their family company, Hope Estate. It is untenable that any New South Wales police commissioner could be so dishonest given the impeccably high standards of integrity in policing and law and order in New South Wales that such a position must hold to facilitate public confidence in the Police Force.

It is very clear this was serious misconduct. The very close relationship between Karen Webb and her husband and Michael and Karen Hope was known to LECC. It was also known to police Minister Catley, who read the LECC report and did absolutely nothing about it. The LECC should be examined as to why it did not regard this as serious misconduct. How serious does it need to be when tens of thousands of dollars of public money is spent on alcohol purchases and fancy packaging and the person who is doing the acquisition, the police commissioner, is in a close personal relationship with the beneficiaries of it, Mr and Mrs Hope at Hope Estate, and she did not declare that? She denied that it was a close relationship and said she hardly knew them. She is dishonest, and she deserves to go.

MEDICINAL CANNABIS

The Hon. JEREMY BUCKINGHAM (12:11): I note the answer given today by the Minister for Agriculture regarding the issues facing the emerging medicinal cannabis industry in Australia, particularly our cultivators. As reported on the ABC just two nights ago, they are in a real bind. There is a massive opportunity in this State for regional and rural development. There could be a new horticultural industry in this country that could be vertically integrated into a plethora of products that we can export to the world and also consume here.

Australian farmers are the best farmers in the world. They produce quality-assured good manufacturing practices, or GMP, products. Consumers want Australian products, but the trouble is our industry is being swamped by cheap, low-quality imports from Canada, Thailand and South Africa—jurisdictions we cannot export to. It is absolutely outrageous. I had the pleasure of meeting with industry representatives at the Nimbin MardiGrass over the weekend, which was a great event. I cannot remember what we talked about, but I know great discussions were had. Luckily, someone took notes, and I have checked those.

The Hon. Mark Latham: It's like Woodstock.

The Hon. JEREMY BUCKINGHAM: Exactly. I have checked the notes, which confirm our concern that our industry is over-regulated with red and green tape. We have bodies including the Office of Drug Control, the Therapeutic Goods Administration and State agencies like NSW Health putting many restrictions on how and what the industry can do. Some are necessary. But if you get an import licence from the Office of Drug Control, you can import as much cannabis as you want, put it in a shipping container, send it to Wetherill Park, package it up and distribute it with almost no oversight whatsoever. This is crueLLing our industry, which could employ thousands of people in the areas where we need it, like where the industry is now, in northern New South Wales rebounding from the drought, Armidale, Lismore, the Hunter Valley and those areas.

We had industry in Western Sydney that packed up and moved to Brisbane because of the regulation here. It is not a great environment for the industry to be getting up and running in. We have cheap imports coming in that are flooding the market. Fair enough we need a free market, but we also need to get behind our Australian growers and help them. We should only be importing cannabis when we cannot produce it ourselves. We need to get behind the Australian medicinal cannabis growers and an industry that could support so many people. I call on the National Party to pay a bit more attention and get behind our cannabis industry.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (12:14): I take note of the answers given by Ministers today in relation to the Local Small Commitments Allocation program. We asked a number of questions today to Minister Graham. I do feel a bit sorry for him. He has been handed the ham sandwich at the end of the day, because it is very unusual for a Special Minister of State to have responsibility for a grants program. This has been cooked up by Labor prior to the election. Labor came in and ran it out of the Premier's office. Cherie Burton had her hands all over it. The Premier's Department is the agency that ran it, yet the poor Special Minister of State is the one who had to sign off on the books. We know that these things are really dodgy. In answer to my question today on Rough Edges, the Minister said it was related to tranche 16. There is no mention of Rough Edges in tranche 16, which is why I asked the supplementary question. The Minister is tying himself in knots trying to defend a program that is indefensible.

Today the Minister repeatedly took it upon himself to refer to the validity of the organisations that were taking the money and what those organisations were using the money for. There is no question from any member on this side of the House that these are not good community organisations that are being funded. We have never suggested that. What we are saying is that the process for how this funding was provided was not in line with what the public or community would expect. That is the issue that we will continue to push. There is also a certain sense of irony that the only area where we seem to be having problems getting the correct paperwork for is the Sydney electorate. It would appear it is the only electorate where a member had an opportunity to provide some input afterwards, yet mysteriously that is the paperwork that has disappeared.

The fact that we are cynical about this stands to reason. We now know that the agency made a recommendation to the Premier's office that there be a conflict of interest process for the member for Sydney, but the Minister has just said, "No, we don't need to do that, and I won't be doing it." This does not stack up. I mention the answer given by Minister Jackson in relation to her or her office having any involvement in any of the projects within the Sydney electorate. She said, "No, we're not involved in that." I ask the Minister, how is that possible when one of your members of staff was the Labor candidate for Sydney?

The Hon. Dr Sarah Kaine: Point of order—

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The Clerk will stop the clock.

The Hon. Dr Sarah Kaine: Now is not the time to be asking questions of Ministers. The discussion is to be directed through you, and any further questions can be asked of the Minister in the next question time.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I will take advice from the Clerk. The various rules for this debate are set out in Standing Order 69. This is not the time to raise new questions, and it is not an appropriate time to reflect on members. The Hon. Sarah Mitchell will continue but will bear that in mind.

The Hon. SARAH MITCHELL: I thank the Minister for confirming that neither she nor her staff, including the Labor candidate for Sydney, had any involvement in clarifying that the Sydney commitments were election commitments. That flies against the evidence that we heard in the parliamentary inquiry as to what was meant to happen post the election. We will have more to ask about that in the days ahead.

LOCAL SMALL COMMITMENTS ALLOCATION

PUBLIC LIBRARIES

The Hon. Dr SARAH KAINE (12:18): I take note of some of the questions and answers given today. I will quickly deal with the Local Small Commitments Allocation questions and answers that were delivered. I remind members of the contribution that the Hon. Stephen Lawrence made to the take-note debate this week regarding the nature of election commitments and the absurdity of the debate that we are having during question time. The nature of election commitments has not somehow changed. We all understand that candidates go to elections with commitments, should an election turn out one way or another. I remind members that the level of questioning and debate has reached absurd levels, as pointed out by the Hon. Stephen Lawrence earlier this week.

More significantly, I take note of the most important question asked, which was about libraries, to the Special Minister of State, and Minister for the Arts. I confirm what the Minister said about you, Mr Assistant President, being the biggest advocate for libraries, and that extends to your office. I have been provided with information from your office about a song that relates to libraries. I advise the House that there is a song by the Go-Betweens about librarians.

The Hon. Scott Barrett: Sing them, Sarah!

The Hon. Dr SARAH KAINE: I am not singing the song. The lyrics state:

I know this girl
This very special girl
And she works in a library, yeah
Standing there behind the counter

Willing to help
With all the problems that I encounter—

that sounds very much like all the librarians I have met—

Helps me find Hemingway
Helps me find Genet
Helps me find Brecht
Helps me find Chandler
Helps me find James Joyce

She always makes the right choice

I thank Amanda for providing those lyrics and correcting the record that there is an appropriate song that could have been used by the Minister. More seriously, I reflect that in the loneliness inquiry that we are wrapping up, a lot of evidence was given about the importance of libraries as spaces of connection that bring communities together. They provide not only books but also lots of communal spaces that can be used for a whole range of purposes. They play a significant part in maintaining connections, particularly amongst those who cannot necessarily find connections elsewhere. I commend that question and answer to the House.

COROWA DISTRICT HOSPITAL SURGICAL SERVICES

Dr AMANDA COHN (12:21): I take note of the answer given by the Minister, representing the Minister for Health and Minister for Regional Health, to my question about surgical services at Corowa hospital. I thank the Minister for seeking relevant information in a timely manner. I know she takes her role representing the Minister for Health and Minister for Regional Health in this House very seriously. The commitment from the Government to safe and timely care at Corowa hospital is very relevant. The upgrade to the air filters is welcome and the commitment to resuming endoscopy services at Corowa hospital by June this year is extremely welcome. But that does not fix the problem.

Prior to the so-called pause last year, operations performed at Corowa hospital included hernia repairs, vasectomies, carpal tunnel syndrome relief, and skin cancer excisions including skin grafts. I understand that the surgeon who visits Corowa hospital was ready to add laparoscopic cholecystectomies to that list, or keyhole operations to remove the gall bladder. That is a much broader range of surgery than the services being restored—like having just an endoscopy theatre for things like colonoscopies and gastroscopies. It is a significant downgrade of services at Corowa hospital. The burden that puts on other services in the region is significant. As I have already said, the waitlist for those procedures at Albury Wodonga Health is already over two years. The Minister said that patients are now being transferred to Deniliquin hospital or to Wagga Wagga. Deniliquin hospital is another small

regional hospital run primarily by GP sub-specialists. There is also the burden on patients who have to travel for what is basic health care that can and should be delivered in Corowa. It is not an appropriate burden to put onto other regional communities.

The other important piece of this puzzle is that having an elective operating theatre at Corowa hospital means that the local GP anaesthetist has a regular opportunity to maintain their skills. That means they are then qualified to support the community in things like life-threatening airway emergencies in the emergency department. Without having elective surgeries to practise those skills in a controlled environment, we risk downgrading the skills of local clinicians that the community relies on in emergencies. It is critical that the full range of surgical services be restored at Corowa hospital. I call on the Government to make that commitment and outline a clear timeline for the return of full services at Corowa hospital.

I thank the Corowa Rutherglen Wahgunyah Action Group, which loudly and clearly called for this immediate investment at Corowa hospital, as well as supporting the full implementation of the 2021 clinical services plan at Albury Wodonga Health. Its advocacy has been heard loud and clear and is very welcome. I also note that Federation Council has shown significant leadership from local government in supporting its local health services, which is noted and extremely welcome, as is the advocacy by Dr Heinz Deiter, who has done incredible work standing up for his patients and community to have the health services they deserve.

CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

The Hon. SCOTT BARRETT (12:24): It is not often I get a shout-out from the Leader of the Government in question time, so I thought it was my duty to respond to that. The shout-out was in response to shearing, particularly a program that is being funded to support the mental health of shearers. It is a little bit generous to say that I was a shearer. I certainly have spent a lot of time in shearing sheds because I grew up in and around them when my dad was a shearing contractor. I have worked several pens and have done enough shearing to know that it is incredibly hard work. The days are long. Shearers are away until late at night. The work is inconsistent because of wet weeks or there is no work. It is tough. There is some self-medication involved, which causes a few problems, to help them work through the chronic pain that they experience.

I support the intent of the Woolly Conversations program that the Minister referred to. I am sceptical about its tagline, "Raising the baa in suicide prevention and positive mental health", but I enjoy the intent of it. By the same token, we are losing shearers. There are significantly fewer shearers around today. Some 30 years ago there were about 10,000 shearers in the country and now there are only 2,500. I encourage people to get involved. Yes, I talked about the hard work, but it is also good fun. I remember distinctly those moments before 7.30 a.m. when things kicked off. Workers would be standing around, waiting for the clock to tick over. There is a bit of anticipation about starting the day. It is quite poetic and enjoyable to hear the buzz of the machines as they click in overhead.

I have some good memories of working in shearing sheds. I did not progress much beyond being a learner, but I remember one guy who knew what he was doing. We did a couple of sheds together and they were good fun. We travelled around a few different sheds in the Central West, learning our trade and enjoying some good times in the shearing sheds. I encourage young people, predominantly men but more women, to get involved in the shearing industry. The professionalism nowadays is significantly greater than it used to be. Shearers are fit and clever, and they care for their sheep. It is good to see. I encourage anyone to get involved.

For those who have not had the same exposure to shearing, I encourage them to visit the Shear Outback – Australian Shearers' Hall of Fame. That is a great way to learn more about it. I am sure I do not need to sell that to the Hon. Cameron Murphy with his regional credentials. People could also spend their time watching the classic Australian Jack Thompson movie, *Sunday Too Far Away*. That is another great depiction of shearing life in Australia. Let us not forget that the history of this place involved shearers. We can go back to the shearers strike at Dagworth Station in 1894, which conceived *Waltzing Matilda*. I encourage everyone to learn more about the shearing industry and get involved.

CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE

WATER SHARING PLANS

The Hon. MARK BANASIAK (12:27): I take note of the answer given by the Hon. Penny Sharpe regarding the Central-West Orana Renewable Energy Zone. I pay particular attention to one project she did not mention, which is the REACT training centre, which was the brain fart of the former mayor of Dubbo. Those projects were supposed to be for lasting legacy. There is no lasting legacy in a training centre that will largely service the itinerant workers that put together the renewable projects. Training centres and education centres work on bums on seats in terms of funding. The community rightly questions who will be subsidising that training

centre when the large majority of those itinerant workers are finished their training. I leave my remarks there on that matter.

I also take note of the question I asked the Treasurer. He looked a bit perplexed. The Minister for Water was probably less perplexed because we have had those conversations before. Both Commonwealth and State governments are legally required to compensate water licence holders for decisions they make. It is written in the National Water Initiative. It is written in various State and Commonwealth legislations. When it reaches above 3 per cent in terms of a loss, that is generally when it triggers the State and Commonwealth compensation or government stepping in.

A lot of water reform is going on in the department. There are some concerns that it is not being done well or in a thorough way. There are concerns around whether there is the budget to do it properly. If you look at the prescribed wetlands announcement, it seems like there is a bit of performative environmentalism going on. There is this great press release and a good news story of "We're saving wetlands." But then we are not actually ground truthing that data to show whether the wetlands—which were taken from a satellite map during a period of extensive rain—are actually on the ground.

I have an example from a farmer I know up north. The satellite picked up an image of two dams and a depression in between them, and there was an assumption—because there was a little moisture between the two dams, which was probably seepage—that that was somehow a prescribed wetland. There has been a refusal from the department to ground truth it. Another example comes from a New South Wales Murray farmer who has lost a million dollars' worth of crop and faces a \$5 million property devaluation due to a trading rule change last year. I would argue that that sits above the 3 per cent loss in terms of productivity and is worthy of the Minister looking at compensation.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. STEPHEN LAWRENCE (12:30): I take note of the answers given by the Special Minister of State in relation to the Local Small Commitments Allocation program. Clearly, the Opposition—and, indeed, any crossbench member—is entitled to look into issues of conflicts of interest and issues around the Premier's Discretionary Fund and whether that has been used to supplement things in a way that someone could construe as improper. No-one could criticise the Opposition for looking into those matters. But the whole thing is starting to look very confected. We are hearing members on the other side of the Chamber saying things like, "It is getting murkier and murkier. There has been a cover up." [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

It is not getting murkier and murkier; it is getting clearer and clearer. It has been continually said in this discussion that other candidates did not get the opportunity to put in bids as part of this program. I want to point out how completely absurd that is. I contested the electorate of Dubbo in 2015 and 2019. I certainly was not consulted about National Party election promises. If I had been, I might have taken a great interest in what its promises should have been and those promises probably would not have been entirely the same as the ones made. I certainly do not expect Dugald Saunders, if he is a candidate for Dubbo in the 2027 election, to come to any community group that I might be associated with or to come to me as a community member or to come to the Labor candidate for our say on National Party election commitments.

There has been a continual attempt to obfuscate the difference between this election commitment program and grant programs, and to make out that this is a grant program like Stronger Country Communities or similar programs. It is not. It is about election promises. The whole premise of the suggestion that applications should have been broadened and other candidates should have been able to take part is just an attempt to further that blurring in order to make a criticism that is not legitimate and falls completely flat.

REGIONAL COMMUNITY CONSULTATION

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. WES FANG (12:36): I take note of answers given today. I also note the contribution of my colleague the Hon. Scott Barrett. He said that the Leader of the Government gave him a shout-out during question time. That is not necessarily unusual. The Leader of the Government often gives me a shout-out during question time. Sure, the context is somewhat different, but the Leader of the Government is often known to provide my name in response to a contribution. One of the answers given today by the Minister for Regional New South Wales about guidelines introduced by this Government is emblematic of the problem with this Government: It just does not consult. So there is now a situation where a bill has had to be brought to this House and guidelines have had to be formed to force this Government to consult with rural and regional New South Wales.

What is extraordinary about this is that the Minister has then tried to proclaim it as some sort of win for the Government, when ultimately it had to be dragged kicking and screaming to make that a part of the way it does business. That is on the Government—that it has had to be dragged kicking and screaming to the table to make sure that the voice of rural and regional New South Wales is heard. The Minister proclaiming that as a great win for rural and regional communities is an absolute disgrace. The Minister should have been doing that from day one. She did not and that is on her.

I will also talk about the Local Small Commitments Allocation. I note the contribution just made by the Hon. Stephen Lawrence. I accept what he said about issues around election contributions, but that is not what we are asking questions about. We are asking questions about the change in the election commitments to the electorate of Sydney from what the Labor candidate apparently promised to what the current member, Alex Greenwich, wants. The Labor Government has rolled over and effectively given him an opportunity to change that contribution into what he wanted. Then funds were provided from different departments to make up the shortfall. [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (12:39): I thank members for their contributions to the debate.

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

Motion agreed to.

Written Answers to Supplementary Questions

COMMUNITY CLUBS GAMING TAXES

In reply to **the Hon. ROD ROBERTS (07 May 2025).**

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

Policy Development relating to the Government's response to the report by the Independent Panel on Gaming is continuing.

SYDNEY METRO DRIVERLESS TRAINS

In reply to **the Hon. NATALIE WARD (07 May 2025).**

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

I am advised:

Since March 2023, there have been 15 safety incidents (unruly behaviour involving an interaction between customers and staff) and nil assaults on the trains.

The Sydney Metro network has extensive safety and security systems in place to keep customers safe across the network.

The Operational Control Centre [OCC] operates 24 hours a day, 7 days a week, monitoring the network with CCTV and Help Points and this is supported with additional roaming security guards. The OCC communicates with Transport Officers, NSW Police and emergency services. Customers are encouraged to officially report threatening, offensive and anti-social behaviours.

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

Matter of Public Importance

NATIONAL PARKS ACCESS

Discussion resumed from an earlier hour.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:01): I thank the Hon. John Ruddick for bringing this matter of public importance forward. I acknowledge that 27,230 citizens of New South Wales have supported the petition that has brought on this debate today. The opportunity for people to petition Parliament is a critical feature of our democratic process, and I welcome citizens choosing to use it to bring issues to our attention. The petition demonstrates how valuable and loved national parks are.

The New South Wales Government strongly supports recreational access to our incredible network of national parks and reserves. They are an integral part of the value of the park estate. Our national park system is

world class. The Government is extremely proud of our national parks, and it falls to every government to look after them on behalf of the people of New South Wales. Our national parks protect an incredibly diverse range of conservation values, are highly valued by the community and underpin nature-based tourism in New South Wales. In 2022 close to 70 per cent of visitors to New South Wales reported that visiting a national park was their only or main reason for travel. National parks in New South Wales are more popular than ever before, attracting around 60 million visits every year. National parks host 1.9 million overnight stays annually, providing affordable holidays in extraordinary locations.

Visitors to our parks participate in a wide range of recreational activities, including walking, cycling, horseriding, mountain biking, four-wheel-drive touring, fishing, canoeing, adventure sports, boating, snow sports and more. The latest figures indicate that over 36 million visits involved walking or bushwalking, over two million visits involved cycling and mountain biking, and around 1.8 million visits involved fishing. Mine was one of those. Some 1.6 million visits involved car or bike touring, four-wheel driving and trail biking.

Visitors' access to national parks is supported by an extensive \$2.8 billion visitor infrastructure network. This includes 10,000 kilometres of public roads and trails open to vehicle access, 3,099 kilometres of walking tracks and 365 campgrounds. To meet growing demand, the Government is delivering a significant investment in upgraded infrastructure. In this financial year alone, the Government is investing over \$146 million in new experiences for visitors and in the renewal of existing tracks, trails, camping areas and other facilities. These projects will deliver over 740 kilometres of new and upgraded walking, cycling and mountain biking tracks and more than 35 campground upgrades.

I acknowledge in particular mountain biking, which has been a growing sport for a long period of time and that many people enjoy. Over 70 kilometres of trails within the Illawarra Escarpment State Conservation Area and upgrades to the 14-kilometre network of trails in the Glenrock State Conservation Area on the Central Coast have been established. We are investigating exciting new opportunities for world-class trails in the Currys Gap State Conservation Area, providing new tourism opportunities in the Tenterfield region. When prioritising visitor infrastructure investment, the National Parks and Wildlife Service takes account of local and regional community needs, statewide tourism objectives and biannual visitor surveys, which guide the service's understanding of visitors' expectations and use of the parks.

The National Parks and Wildlife Service also works closely with Aboriginal stakeholders and joint management partners. This is an important part. I know that the member raised a number of issues about this, but we are proud of our system in New South Wales, where there is joint management of many parks, whether or not there are Indigenous land use agreements, and where there are opportunities for Aboriginal people to have good jobs within the service, as well as support for Aboriginal rangers. This will continue.

I know the issues that have been raised in the petition. We can do all of those things raised in the petition, except for hunting. We are not allowed to hunt in national parks, as the Hon. Mark Banasiak knows. But, beyond that, we can do four-wheel driving, motorbiking, all of those things, all within the system we are trying to create, which is to preserve and conserve the beautiful environments in the parks. We can and should do both because national parks are for everyone, and they are fun. The Government's position on recreational access to national parks is very clear. We want more people to enjoy them more often, and we want more regional communities to enjoy the jobs and economic benefits of nature-based tourism. We want people to continue to enjoy the quiet beauty of our national parks but also have a rip-roaring time, whether they want to be mountain biking, fishing or four-wheel driving, or having that beautiful moment under the stars when camping.

The national park system in New South Wales covers over 7.5 million hectares, from the coast to the Snowy Mountains and the outback. Active management of the parks is required to ensure public safety, undertake conservation programs, maintain infrastructure and deliver essential activities such as bushfire hazard reduction. Closing parts of our national parks from time to time to allow essential management actions to occur is a routine and regular feature of best practice land management. Closures are also required during emergency events such as bushfires and floods. Closures ensure that these management activities can happen as quickly and safely as possible. The majority of closures are small scale, targeted and short term. All closures are publicly notified. In some limited circumstances, longer term or permanent closures may be necessary to address more significant public safety and environmental risks or to deliver large-scale infrastructure upgrades. Two examples are a rockfall that may require closure of an existing walking trail to protect public safety while alternative options are identified or where vehicle impacts are degrading the very environmental values that attract people to a park in the first place.

I acknowledge that we have designated Aboriginal places within our national parks. These are special places that have gone through an extensive process to be registered, with a lot of work with the local Aboriginal community and others. An assessment of their cultural values is important. They require their own plan of management. That is a subset of what we do within parks. We think it is important, and we will continue to do it.

Longer or permanent closures of parts of national parks are a rare occurrence, and decisions to do so are not made lightly. We accept that the community has strong views about some closure proposals and that sometimes community consensus cannot be reached. But significant closure proposals such as for Wollumbin Mount Warning—which the Hon. John Ruddick and I have talked about quite a lot and will continue to talk about, I am sure—are ongoing issues where we try to find good outcomes, with public and stakeholder consultation. We have not been able to do that yet, but that does not mean that we are not trying to progress a landing on the matter, which is very important.

There is a very extensive process around the management of national parks. National parks have plans of management and advisory groups that involve a range of different stakeholders, including First Nations people, people from local government and people who work in rural and regional development, planning, science, environmental education and bushfire management. They form part of the rich tapestry of advice that I receive around how to manage what we consider to be our most highly protected public spaces, and some of our most important public assets. We are all extremely proud of our national parks. That is why there is sometimes land use conflict. People have different preferences about how to deal with these issues.

I understand people's desire, particularly that of the petitioners, to raise issues about access to national parks so they can do their favourite activities in their favourite national parks. I believe we have a robust system to work through those challenges. Some enjoy mountain biking; others enjoy hiking. People who like to canoe may not like to fish. People who like four-wheel driving may not like carrying heavy packs on long walks—I know I definitely do not want to do that. Having said that, I believe we can have a beautiful, dynamic system. We have almost 10 per cent of the State to find recreational spaces for people to enjoy doing what they love. Ultimately, members are trying to protect these beautiful places, conserve their value for the future, look after biodiversity and provide places where people can have fun together and enjoy their favourite hobbies with the kids.

We can also respect Aboriginal cultural heritage in these areas. As Minister, I have been extremely privileged to visit many of these places and they have different arrangements. I have been to Mutawintji National Park, which is a "handback" park. We handed that park back to Aboriginal owners 30 years ago. Those owners work in concert with National Parks to manage the park, and it is one of the most spectacular places I have ever been to. It is managed sensitively and carefully. I have been to some historic sites where I saw incredible partnerships working really well. This is not about restricting others from coming; it is about telling our stories and valuing these places. For traditional owners, who have been continuously connected to the land for over 60,000 years, it is a great asset in this State. Caring for those places carefully and sensitively is absolutely a priority for the National Parks and Wildlife Service.

While it is important to look after country, Aboriginal communities also want to share stories of where they have been, where they have come from, why this is here, why this is important and how we are all connected to country in a range of different ways. We can all share in that incredible, rich heritage. I disagree with the Hon. John Ruddick on his harder line view that everything should be open all the time, no matter what. I absolutely believe that we can carefully manage those sites for conservation, recreation and Aboriginal cultural heritage. That requires ongoing conversation with local communities. We want all of regional New South Wales, including small businesses—and let's remember, we have great national parks in our Sydney backyard—to be able to have tourism ventures in parks. We want to support businesses to thrive, like those that provide canoe tours through wilderness areas like Kosciuszko, for example. There are a whole lot of places where there is genuine regional economic development off the back of our parks, and we know the numbers are very good on that.

Careful management is important. At the end of the day, people want to come to these parks because they are beautiful and because they can enjoy the recreation they love within them. No-one thinks these parks should be harmed, and that is what members are trying to manage. I acknowledge the petitioners and thank them for raising those issues. The Parliament will continue to have conversations about them. The proposals about how to do land management are all very good. But, at the end of the day, how lucky are we to have 10 per cent of this State protected for everyone—including future generations and the animals and plants and beauty within—and to support Aboriginal cultural heritage and the rich economic development opportunities it provides, like the tourism it generates. Over 60 million visitors each year can enjoy their time in our national parks.

The Hon. MARK BANASIAK (14:14): I thank the Hon. John Ruddick for introducing a discussion on this matter of public importance. Indeed, it is an important matter. All members in this place and everyone in New South Wales is a public landowner. That is how I consider myself when I utilise our public land for my recreation. I acknowledge also representatives in the gallery for their advocacy around four-wheel-drive access and access to parks in general. I thank them for putting forward this petition and raising these matters. The Shooters, Fishers and Farmers Party has raised these issues for many years. We have been in this place for 30 years and have raised examples of such issues around loss of access throughout that time. My predecessor was

responsible for getting the four-wheel-drive association representative on the advisory council many moons ago, and they still provide advice.

I highlight some examples I have dealt with around access to national parks. Petitioners are not necessarily concerned about the temporary closures but about the temporary closures that turn into permanent closures. There have been examples of that, and questionable behaviour has occurred. I give the example of the Maloneys Beach vehicle access closure. A very weird arrangement was struck between Eurobodalla Shire Council and National Parks in exchange for an easement on the Murramarang South Coast Walk project, which essentially cut off access to residents. They could not drive down to Maloneys Beach to launch a small boat for fishing. How that arrangement came about was bizarre, and the council's involvement in that was very opaque.

In the last Parliament I raised the issue of four-wheel-drive road access to the beach at Booti Booti National Park. People were seriously concerned. Conversations were overheard in which National Parks essentially offered inducements to other stakeholders to go against four-wheel-drive owners. Statements were made like, "If we don't have to fund the renewal of this road, we can give you this," or "If we don't have to fund the renewal of this road, we can give this group that." I asked the Hon. Don Harwin, representing the Minister in the other place, a question about that but received a non-answer.

The Hon. John Graham: How'd you go?

The Hon. MARK BANASIAK: That's exactly how it went—I got a non-answer. Access has been a vexed issue at Hat Head National Park and Goolawah National Park at Crescent Head. The national park plan of management wants to shut off access to the road to the beach, once again—and that is not just for recreational users, like four-wheel-drivers and fishermen et cetera, but even for emergency services. There was a locked gate, and even emergency services did not have a key. If someone had a heart attack on the beach, they would have to wait for National Parks to turn up to get a key, which is just ridiculous. Blue Fish Point is another example. I have worked with National Parks on that to reinstate the climb for serious, hardcore rock fishermen.

The Hon. Penny Sharpe: Not me.

The Hon. MARK BANASIAK: It's not everyone's cup of tea. I have been out there for a look. I am a keen fisherman, but I am not that bloody keen. In that case, someone cut off access without telling anyone. Thankfully, access was reinstated. I reiterate that the main concern is when some of these temporary closures turn into permanent closures, and the process around those closures and the cumulative nature of those closures. That is the issue. The last Government added 344,215 hectares to the national park estate. That may be great in some people's mind, but if recreational users do not have full or reasonable access, then we start to raise concerns.

My involvement in trying to negotiate some of these access issues has made me realise that it is not just about national parks. We have a raft of public land across this State, and a lot of it is caught up in convoluted, confusing access arrangements between different agencies. Sometimes they do not even realise for 60 or 70 years that they own public land. Take the example of Muddy Creek; Sydney Water did not even realise it owned that land. We are going through a process with the Minister of facilitating a handover to Crown Lands. I thank the Minister for working with us on that process.

I gave notice of a motion this week relating to public land because of those complicated relationships. Hopefully we can create opportunities to unravel some of these convoluted arrangements around public land access. Another example is the Talmalmo access road in the south-west, where a road cuts through a farmer's property. He uses that road to pass cattle through the paddocks, but recreational fishermen want to use that road to walk down—and at one point wanted to drive down—to launch boats to the river. During the last Government, Crown Lands and the fisheries department were playing a game of "Go ask your mother. Go ask your father" in trying to negotiate access to that area.

The Hon. Penny Sharpe: The kids are going, "Duck now. I'm going after both of them."

The Hon. MARK BANASIAK: Yes, we have all relished playing that game as parents. But it is not constructive for agencies to do that. Metaphorically, I had to bash together the heads of Melinda Pavey and Adam Marshall and say, "Can you get your departments to talk to each other to do a land swap deal? Just move the land that is the access road to the side?" Thankfully we were able to do that. But it points to the convoluted rules and arrangements relating to national parks as well as the land that abutts and adjoins them. I thank the Hon. John Ruddick for bringing this matter of public importance to the House. We need to have a broader conversation about how we can unlock more opportunities around public land. We do not know about a lot of it and it is not being used because of those convoluted rules.

The Hon. ROD ROBERTS (14:22): I contribute to discussion on the matter of public importance. I thank the Hon. John Ruddick for bringing the matter before the House. I fully endorse and support his comments. I note

that it has been nine months since the Hon. John Ruddick asked the Government about the reopening of Mount Warning. I found the response given at the time to be inadequate. I have been waiting for an update. I must confess that I do not have the patience of Job. However, I reckon even he would have got annoyed. I am sure the Hon. John Ruddick is getting annoyed.

I recognise that the original shutdown occurred under the previous Government during the COVID-19 panic. However, we have already passed the midpoint of this Government's term in office, and it is concerning that its decision still has not been made. The continual delay only reinforces the growing community sentiment that the Government does not wish to make a decision, because it would alienate either the environmental radicals or everyday Australians.

Forest closures and access restrictions are becoming increasingly common across New South Wales. The four-wheel driving community and other outdoor groups have mentioned seeing bush trails and walking tracks being allowed to fall into disrepair. At Mount Warning, there is evidence that the walking track was deliberately damaged to enable a shutdown due to "safety concerns". There is an notable exception, though. I note the Minister is in the Chamber. She may be able to help me with the pronunciation of the recent creation of the multi-day Gidjumu Gulganyi Walk in northern New South Wales. How did I go? Was my pronunciation close enough?

The Hon. Penny Sharpe: Pretty good. It is probably better than mine.

The Hon. ROD ROBERTS: That is a new walk in northern New South Wales. But listen to this: Our National Parks service will allow people the privilege of walking and camping along this publicly owned 42-kilometre track at a cost of \$173. Is the new policy for access to our national parks to pay nearly \$200 for a visit or remain locked out elsewhere? Our public lands must be accessible to all Australians, irrespective of their socio-economic backgrounds. We must not adopt an expensive user-pay model that restricts access to only those who can afford it. With the current cost-of-living pressures affecting New South Wales families, we need to ensure that inexpensive forms of recreation exist for our residents. What better way to spend an affordable weekend than to pack up the kids for a day or two of bushwalking, camping and swimming? I would expect every government to encourage and enable this connection with nature, instead of viewing the public as trespassers or intruders who need to be locked out.

Remember, the Minns Government's housing policy is now focused on vertical living. That will increase the proportion of residents living in high-density housing and lead to the disappearance of the Aussie backyard. To help offset any adverse effect upon physical health and general wellbeing, we should be encouraging an outdoors lifestyle as a matter of public policy. The Leader of the Government has spoken in the past about the need for balance: managing cultural protection, conservation and access. We are still waiting for that balance to occur, because currently the people of New South Wales are being unreasonably denied access to their public spaces. A public inquiry is therefore necessary to discover the current policies and practices of the National Parks services and other government agencies, as well to investigate the economic and social impact of their decisions. Once again, I endorse and thank the Hon. John Ruddick for bringing this matter before the House.

Ms SUE HIGGINSON (14:26): On behalf of The Greens, I contribute to discussion on this matter of public importance. I thank the member, as always, for bringing it on. This topic is deeply dear to my heart. Along with so many other people, I have literally stood on front lines to create those incredible places that we are now discussing in this place. There is something I absolutely love about that. I also acknowledge that it is clear that New South Wales currently has a Minister for the Environment who is deeply connected to the national park estate that she can talk about it in terms that we have not heard for some time. I am deeply grateful for that. I know many others across New South Wales who love the national park estate feel the same. I think it is good to reflect that in 1879 New South Wales led the world by establishing the Royal National Park, then known as the National Park. It was Australia's first official national park and one of the first national parks in the world.

The Hon. Penny Sharpe: Second in the world after Yellowstone.

Ms SUE HIGGINSON: The Minister has beat me to it. The first national park in the world was Yellowstone, created only a few years before in 1872. Sydney's National Park was renamed Royal National Park in 1955, in honour of Queen Elizabeth II's 1954 Australian tour. Those first national parks ignited a whole new paradigm for both Australia and the United States on how the environment was viewed, valued and protected. In many ways, the concept of national parks was revolutionary, because it prioritised the protection of nature over extraction, production and exploitation. Both Royal and Yellowstone inspired people around the globe to call for more national parks and protection and management of natural areas by government agencies.

Both parks are highly significant for their indigenous heritage. The colonial powers saw Australia as an empty place—we know, terra nullius—and the Dharawal people, who lived in the area of southern Sydney, were removed from their traditional lands, which they had inhabited for thousands and thousands of years. The Board

for Protection of Aborigines, as it was referred to, was established in New South Wales in 1883. It forced Aboriginal peoples onto reserves and had enormous control over their lives.

Our precious public protected area network has, in fact, been carefully built and hard fought for over many decades. In '74, we saw the introduction of the National Parks and Wildlife Act, which was then and still is a well-defined and effective legislative framework for the protected area network. In 1979, under the Wran Government, the fight for Terania pre-empted the establishment of the Border Rangers National Park in the Far North. The incredible "rainforest decision" is renowned around the world for protecting one of the most incredible ecosystems, which now forms part of the World Heritage property of the Gondwana Rainforests of Australia. The World Heritage values and properties of that place are phenomenal. Of course, Wollumbin is by extension part of that beautiful, unique and incredible part of the world.

The National Parks and Wildlife Act has some really important objects, and they continue to be as relevant today as they were in '74. It talks about the fact that parks exist to protect nature and, yes, to provide for public recreation, but not for all recreation. There is a deep, logical explanation for why we protect these places. We create them based on the values that they have, which more often than not have international significance and recognition. The fact that they are home to some of the most threatened species on this planet should not be lost on anyone.

We must remember that these places were not declared just because someone drew a line around them on a map. They were extremely well considered. The one time when we significantly built the national park estate in this State was under the Carr Government. The battle to protect the forests was a really significant one, because it was on the basis of a scientific criteria to create a comprehensive, adequate and representative [CAR] reserve system. The CAR reserve system was the most significant part of building the national park estate and was based on three principles: including the full range of vegetation communities, which was the comprehensive part; ensuring the level of reservation is large enough to maintain species diversity, which was the adequate part; and conserving the diversity within each vegetation community, including genetic diversity, which was the representative part.

The conservation community was instrumental in getting those wins that saw the reserve system increase from 968,000 hectares in 1989 to just over two million hectares in 2011—an increase of over one million hectares, or 110 per cent. That was the most significant period when we built the reserve system, but we need to understand that our precious protected area network, which most refer to as our national parks, still only reflects about 10 per cent of the entirety of New South Wales. Maybe we are at about 11.5 per cent now, but it is still a very small area that is in the protected area network. We need to aim to increase that. The High Ambition Coalition internationally says we should be achieving a 30 per cent minimum reservation of land and waters within a governance area, so New South Wales for example.

I suggest to the mover of the matter of public importance and all those other people who are fighting hard to have more access because they value the protected area network so much, let's build it. Let's build it bigger so there is more room for us to do all the things that we want to do within the reserve system. We know that some areas will not withstand intensive recreation. They will not withstand four-wheel drives, for example, and the values that we have protected will be diminished. But, if we all work together, we can expand the protected area network to 30 per cent of New South Wales by 2030. We can accelerate the native title claims over Crown land areas and resource First Nations land management programs better. We can end the inappropriate development and infrastructure that diminishes the values of our protected area estate.

But it is fundamental that first and foremost we look at protecting the very values within the parks that were the reason for protecting them. It is just a simple fact that, to maintain and protect those values, sometimes parks need to be managed in a way that sometimes includes closure. But with the stroke of a pen we could add the Crown land forest reserve to the protected area network overnight. It is only about 1.8 per cent of the whole of New South Wales but those areas of Crown land really would be suitable for four-wheel driving and more intensive recreation. It would take the pressure off that simple, small 10 per cent that makes up the very valuable, more fragile landscapes that we have worked over decades to get into the protected area network.

If we add the other 1.8 per cent, which would complement the system of protected areas, we would barely see closures and we could facilitate and host much more intensive recreation. We could also host an entire cohort of regeneration for those people who want to engage in land restoration and regeneration to help build that precious protected area network that we are discussing. Everyone loves it, and everyone wants to be part of it, but we must be careful not to lose the integrity of the very values that we have worked so long and so hard to protect. Many people have fought tooth and nail and dedicated their whole lives to building the reserve system that we are so lucky to discuss. I urge people to please remember that it really is only about 10 per cent of the entire State that is protected and on the rest of it they can pretty much do what they like.

The Hon. ANTHONY D'ADAM (14:37): I make a brief contribution to the discussion. I understand that a fundamental foundation of the Libertarian Party's philosophical outlook is the sanctity of property. So their position when considering the Wollumbin/Mount Warning restrictions, where the traditional owners are seeking to exercise some ostensible property rights over land that has been theirs for thousands of years, is perplexing to me. It strikes me as odd that the Libertarian Party would think that it is appropriate to argue that the basic rights the traditional owners have to exercise some limited control over their lands is somehow offensive or should be rightly overridden by a broader agenda for greater access.

It is kind of an extraordinary proposition. We would not entertain the idea that someone might want to climb on the Anzac Memorial or ride a trail bike through a war grave. However, we think it is okay to say that a sacred site of great cultural significance to the Bundjalung and Githabul nations is somehow less important or less worthy of protection than the places that we as European colonisers think are sacred in our society. The idea has at its root a profoundly racist distinction that some practices and some sacred areas for some cultures are more important than others. When we are reflecting on access rights to Wollumbin, we should try to walk in the shoes of our Indigenous brothers and sisters, the traditional owners, who are trying to assert their rights relating to those places that are sacred to them, and we should respect that.

The Hon. MARK LATHAM (14:38): The key principle in support of open access rights in national parks is to encourage use, and, quite frankly, we do not have the data on the whole raft of hundreds of national parks and State reserves in New South Wales to know whether they are being used as extensively as some would hope. The Greens and others in the Government would hope that these parks are being used a lot. We do not have the data to say whether that is true, and I will come to that point.

In terms of what was said by the previous speaker, the legal status of these parks is as national parks, not as land rights claims. We have two jurisdictions of land rights in New South Wales. The Federal one out of the Mabo decision and the State one. They have been legislated for good reason—and no-one here wants to repeal them—for the claim of land rights in the Mabo judgement relying on constant use and affinity by Indigenous people on those lands. There is no point calling them national parks if it is thought that they are land rights claims and land rights awards. A national park, by definition, should be available to the entire nation. Having restrictions on access rights plainly is wrong in terms of the legal status, plainly wrong in terms of our understanding of the two strains of land rights and also raises a whole range of opportunities for abuse.

I was there for the Hindmarsh Island debate on the side of hoping that Robert Tickner was right and the claims of the women at Hindmarsh Island were valid. It was an embarrassment to those of us who thought that, because the truth was very different. There was a fabrication of Indigenous claims and Indigenous history. One of the problems in all these areas, whether we like it or not, is that the Indigenous were nomadic, they did not have a written language, they did not have a written history and they did not carry books because they could not move from location to location carrying a library. Those things are just self-evident in dealing with reality. There is no written history. We get misinterpretations and opportunities for abuse by virtue of that, because we are dealing with current claims about what supposedly happened 20,000 or 30,000 years ago. There are abuses. There is all sorts of conflict at Mount Warning as to whether the assertions are true. There is an Indigenous faction that says it is all BS and one that says it is holy grail. Who do we believe if there is no written record of what was actually the case 20,000 or 30,000 years ago, or even 300 years ago?

The Hon. Jeremy Buckingham: What about 100 years ago or 80 years ago?

The Hon. MARK LATHAM: Through the mist of cannabis smoke, you might sort of understand these things better than the rest of us, but it is very unlikely.

The PRESIDENT: The Hon. Jeremy Buckingham will cease interjecting.

The Hon. MARK LATHAM: There are two competing factions. One is saying it is total garbage; the other faction is saying it is holy grail. Who are we to believe? The best thing to do is to say that it is a national park and that has to be available to the whole nation. That is the whole point of having a national park. In terms of use, we want open access to encourage use and make better use of the taxpayer dollar. National parks are very expensive on the State budget, and, boy, have they grown over the years. In 1990, New South Wales had 90 national parks and State conservation areas and today we have over 400. In just 35 years, the growth has gone from less than 100 to over 400. How many visitors are there to each of them? We all know that around Sydney's national parks, there would be a good number of visitors and those parks are well utilised for the taxpayer investment.

The Hon. Jeremy Buckingham: Millions!

The Hon. MARK LATHAM: Don't get too carried away. If we look at the questions that I have put on notice over the years in the period when the honourable Greens-cum-cannabis member was not with us, it is very

hard to get accurate data on how many people visit any of the 400 national parks other than the top 20. We can get data, and old costume waitress over here—

The Hon. Emily Suvaal: Oh, come on!

The Hon. MARK LATHAM: —is happy to publish the data on the top 20 of the national parks, but the other 380 we really do not know. I think the Hon. Penny Sharpe is very happy with that descriptor and very proud of her work history. Labor should be a party supporting workers. We all support costume waitresses; I want that known. There is no problem with that. We all did things to get by when we were younger. The truth is that we do not know the data for the 380 national parks.

The Hon. Jeremy Buckingham: What did you do down at Green Valley?

The Hon. Penny Sharpe: Tell us more!

The Hon. MARK LATHAM: I picked up glasses and cleaned up vomit at the Green Valley Hotel. I am not ashamed of that. I had to get a bucket and clean up the vomit of the workers who had had a beer swill. We all did things in the past, but not as illicit or as dangerous as the Hon. Jeremy Buckingham. If we can come to that history, we will. Let us put it in perspective. The truth is that we know the data for the top 20 parks—and the Minister is smiling—but we do not know it for the other 380. Common sense would tell us that there is not much use for the other 380. We have so many parks now. At most of the parks there are more Smokey Bear rangers than users and citizens. That is the basic truth of them.

Other than the top parks, we are not getting a very good return on the investment of taxpayer funds. So why would we limit access? Why say there are all these rules based on one interest group or another for why certain people cannot visit? They should be opened up as national parks to all to maximise the huge investment by the New South Wales taxpayer in these facilities, which have grown like topsy over the years. There is another answer I can refer to from a former Minister. I am not sure this is still the case; it is probably a bigger number now. The answer stated:

The National Parks and Wildlife Service (NPWS) currently has joint management agreements with Aboriginal communities in place for 159 parks and reserves.

It is probably bigger than that now. That answer was provided to me two years ago. We are probably edging up towards 200 of these agreements.

The Hon. Penny Sharpe: Ask me a question. Put it on notice and I will get you the answer.

The Hon. MARK LATHAM: I will do that. Hopefully the answers are more fulsome than those by some other Ministers in the other place and we actually get some data.

The Hon. Penny Sharpe: My answers are pretty good. Ask me the question and I will get you the answer.

The Hon. MARK LATHAM: I take the Minister on good faith and will get the update on all this material. The one thing I urge for the Minister in particular is to not use Roy Morgan as the surveyor of use because back in the day he blew himself to pieces with those old bulletin Gallup polls that were completely discredited. Labor in recent times has a much better pollster. I do not know exactly who it is. It did not send their troops to the wrong battlefield like Freshwater for the Liberal Party.

The Hon. John Graham: Albo.

The Hon. MARK LATHAM: Albo is their pollster. Come on, you have to have a little back-up there. There is someone levering away on the backroom computer. Whoever your modern, successful—

The PRESIDENT: The member is maybe straying slightly from the matter of public importance at hand.

The Hon. MARK LATHAM: No, it is not, because this is all about use, and use relies on reliable data as to who is visiting the parks. Labor has made a breakthrough. It is a much better pollster than 2004 and some other disastrous election campaigns. Whoever that pollster was—

The Hon. Penny Sharpe: The 2004 campaign was you.

The Hon. MARK LATHAM: I was a bit like Peter Dutton and I was sent to the wrong battlefield on a few occasions.

The Hon. Penny Sharpe: It was the polls that made you lose.

The Hon. MARK LATHAM: They are all very animated now. It was not the polls; do not get too carried away back down there in Darling Harbour. Look at it in perspective. But the truth is we need to know accurately who is using each of the 400 parks in New South Wales.

The Hon. Penny Sharpe: Lots of people.

The Hon. MARK LATHAM: Lots of people! That is like the Minister's answers on all the climate change action and what impact it will have on global surface temperatures: "We do not know". We need to know accurately who is using the other 380 parks? Roy Morgan will not tell us that. His methodology and credibility is in the sink; he is down there with Freshwater. I think we need an actual measure. How hard is it at the entry and exit points of these other 380 parks to have a monitor on who is using them? It cannot be that hard to measure who is using the parks. We have lots of technology.

Every second Labor mayor wants CCTV footage right across their municipality. It cannot be that hard to put one of those cameras or measuring devices on how many cars or bushwalkers go in. We need something better than to survey in Glebe and Paddington as to who is using national parks. The data is hopeless. We do not know what is happening for sure. That is why discussions on matters of public importance like this are necessary to have a parliamentary debate to help the Minister get the data, use the evidence and run evidence-based policies. If there are some parks where nobody has used them over an extended period of time, why would we have them?

The Hon. Penny Sharpe: Conservation.

The Hon. MARK LATHAM: Conservation.

The Hon. Penny Sharpe: For the trees and the animals in them.

The Hon. MARK LATHAM: For the trees, okay. This is the party that is wallpapering New South Wales with solar and wind farms, knocking down millions of trees, saying, "We're the party of conservation and that's why we need national parks that nobody uses." Come on, give me a break. If we have a look at these disastrous solar farms, they are as anti-environmental as we can ever get. The conservation argument does not stand up. There are plenty of interjections, President, and that just shows the Minister is on weak ground.

The PRESIDENT: You may be encouraging them slightly.

The Hon. MARK LATHAM: I do not encourage them. They are drawn to me like a magnet. The main point is the valid argument is about taxpayer value for money. That is the core point of this matter of public importance and the argument. If we are not getting value for money, then obviously we need a change in direction. Open access for national parks is the only logical way to go.

The Hon. JEREMY BUCKINGHAM (14:48): Lost in the smoke and haze of the Hon. Mark Latham's contribution was the prime purpose of national parks: conservation. They were created to protect our ecology and wildlife. The fact that they can also be used for other purposes is an addendum that we all benefit from. What does our national parks estate around Sydney do? It protects the ecology of the area but it also protects the water catchment because people are not allowed to walk in the Crown reserves special catchment areas. Does the member think we should be able to walk, use four-wheel drives and camp in them? They are special catchment areas.

The Hon. Mark Latham: You can walk in them.

The Hon. JEREMY BUCKINGHAM: No, you can't. You talk about the data but you are totally uninformed.

The PRESIDENT: The Hon. Jeremy Buckingham will direct his comments through the Chair.

The Hon. JEREMY BUCKINGHAM: Sorry, Mr President. The Hon. Mark Latham is totally uninformed. He does not even know about this vast reserve of special catchment areas that protects the water he drank and flushed the toilet with today. We create these reserves, but the key question is what sort of use should people have? Some areas are not well represented in our national parks estate and should be much more protected and have limited use. Huge holdings in other areas—say, in the Western Division—could probably have multiple uses, which I am particularly interested in. A small area like a headland on Sydney Harbour would be under a lot of pressure and would not be well represented in the reserve system, so would need a higher level of protection and would appropriately exclude some human usage. Other areas that have a better reserve system and where the ecology is better protected people should be allowed to use appropriately.

The key thing I want to raise in this area—and what is missed in a lot of the debate about our reserve system and ecology in this State—is that where the regeneration and environmental benefit for ecology is growing in this State is not in national parks but on private property. Looking at the amount of regeneration in this State, there are vast amounts of continental-scale regeneration going on on private property. Not one single bit of that—it might be 1 per cent of it—is happening because people are going out and planting trees. It is happening because of changes in agricultural and land-use practice. That is not well reported in this State, because if there is passive regeneration going on it undermines carbon budgets. We have gone from hundreds of millions of sheep and cattle

in this country to tens of millions. We have gone from hundreds of thousands of farmers to just tens of thousands. That is a huge contraction in the intensity and scale of agriculture in the past 50 years.

The escarpment of the Great Dividing Range is regenerating on an incredible scale. That is good environmental news resulting from the stewardship brought to us by changes to agricultural practice and attitudes, land care and farmers doing good business. When I drove from Sydney to Nimbin and back on the weekend I challenged the people I was with in the car to find one tree that had been cut down along the 1,000-kilometre journey, but they could not see any. I then said, "Count how many trees you see regenerating along our riverbanks and on the margins of paddocks and national parks." The number of trees that are regenerating runs into the trillions. This change has been coming for 120 years and this Parliament and society really need to look at.

Looking at the change in the escarpment on Google Maps, there has been a massive ecological restoration over the past 20 to 30 years. There is currently a one-in-1,000-year flood going on in western Queensland but it does not rate a mention. This flood, which covers an area twice the size of Victoria from Cooper Creek down into Lake Eyre and into the Paroo and Warrego rivers, will cause an ecological restoration on a continental scale.

The Hon. Mark Latham: What's that got to do with the matter of public importance?

The Hon. JEREMY BUCKINGHAM: What it has to do with the matter of public importance is that we do not have the data. We protect our national parks because of their vegetation values. We properly assess them and we accord them a value. We look outside the national parks, while still including the national parks, at what is actually going on with the ecology in this State. I will tell you what, it is bouncing back. This is good news. Birds in the arid and semi-arid areas are coming back because of changes in land use and protection. That is a good news story. The national parks have created a base from which our ecology can recover. We can interconnect them by working with landholders. Sure, we should use our national parks, but we should not see them as a blight that have political boundaries they need to be contained within so they do not offer the benefit that then moves out into the other land tenures.

We need to look at where native vegetation in this State is coming back and its impacts on agriculture, and what that means to our efforts to decarbonise our economy, because carbon markets would be completely undermined if the news was that billions of tonnes of CO₂ was being sucked up by regeneration. I remember National Party MP Rick Colless in this place. He said that CO₂ is plant food and that with a warming climate and more CO₂, what we will see is more plants. I used to laugh at him, but I think he might actually have been right.

The Hon. Wes Fang: I'm clipping this up and sending it to him.

The Hon. JEREMY BUCKINGHAM: You can clip it. I saw Rick and said that he might have been right, especially in the context of reserves, where vegetation, seed banks, plants and animals can move out into the landscape. Members should go back to their offices and have a look at the private land adjacent to our national parks all along the Great Dividing Range. It is all regenerating—the gullies, the ridges and the steep slopes. There has been a massive contraction in the scale and intensity of agriculture principally in the past 30 years, since the millennium drought. That needs to be recognised, audited and factored into the assessment of where we need national parks and what they are used for.

There also needs to be a recognition of the work that farmers are doing and their contribution to the carbon budget. We need to have an ideology-free assessment of native vegetation in this State. We should farm where we need to farm, feed ourselves where we need to feed ourselves, but know that certain parts of our ecology—certain species, ecotypes and riverine systems—need to be protected while also recognising that life never sleeps, day in, day out. West of Nyngan in the Western Division of this State, which is half the State, there are just a few thousand people. There used to be 100 million sheep out there. Now there might be a few million.

The Hon. Penny Sharpe: There are a lot of goats.

The Hon. JEREMY BUCKINGHAM: There are a lot of goats, but they are farming the goats. Do not worry about that. Look at the escarpment of the Great Dividing Range and there is no doubt that there is an ecological restoration going on there that we need to do a proper assessment of that the national parks have formed the basis of. We are well served by them. It is not just a matter of do we or do we not use them. Sensitive areas should be better protected through less use, but is also about the type of use. Do we let people use four-wheel drives? Do we let them camp or set up permanent structures? Are we going to let people in to hunt? That is probably an issue the Shooters will put on the agenda.

Where our national parks are, what they are used for and how they impact the surrounding land is an important debate that I welcome. I thank the Hon. John Ruddick for introducing the matter of public importance. This is a massive matter of public importance, but we need to have an ideology-free debate when it comes to

ecology because this should be purely about the science and a proper assessment of what areas need to be protected and when. [*Business interrupted.*]

Visitors

VISITORS

The PRESIDENT: I welcome to the Parliament today Anni Sandwell, who is the respected head of the junior school at Queenwood School and a guest of the Hon. Rachel Merton. I also welcome Mia Ahern from the United States, who is interning in Ms Cate Faehrmann's office. You are both very welcome.

Matter of Public Importance

NATIONAL PARKS ACCESS

[*Business resumed.*]

The Hon. SCOTT BARRETT (14:59): I thank the Hon. John Ruddick for bringing this debate. If we cannot be in a national park today, then we may as well be in here talking about them. This is a great opportunity for us to do that. The Hon. Mark Latham asked who is using national parks. I am one of the people who together make up the 60 million visits to national parks each year. They and the splendour of them are wonderful assets in this State. Their role in preserving pristine environments is a good thing, and we need to support it, but it is not their only purpose. It is not the only reason we create national parks. We must ensure that the public have access to them, and we must facilitate and support that. We must allow people to walk, camp, drive, ride and fish in them. We have to support those outdoor activities. There is not much point in creating more and more national parks if we are not getting the full benefit from the ones we have.

Since 2020 almost 800,000 hectares have been added to the national park estate, much of that in western New South Wales. If we are going to spend \$300 million of taxpayers' money acquiring the land, we must make sure that people have access to it where appropriate. The demand is clearly there for national parks; the usage is increasing. It shot massively upwards during COVID and there has been 50 per cent increase over the past decade, resulting in the now 60 million visits per year. Let us not forget that while people are driving to a national park like Warrumbungle, for example, they might stop in Coonabarabran and have a pub lunch or stay the night. They might go and see something else while they are in town, like the Crystal Palace. We must continue to support that, but this is not just about access. There is no point just talking about access if we do not put biosecurity on the table. Biosecurity is far too important for us to not constantly be talking about it. I think it is fantastic that the Minister for Agriculture is in the Chamber because, no matter how much money we spend on biosecurity in our national parks, it will not be enough.

There is no point gazetting a national park to then let it get overrun with pigs or Bathurst burr. In some cases we would be better off leaving it as farmland for all the ecological value that we will get out of the land. Unfortunately, a lot of our national parks are becoming breeding grounds for invasive species. Farmers who live near the parks will talk about the problems they are having with pigs tearing through their fences, destroying their crops and water points and killing lambs and other animals. We are not just talking about a couple of pigs; hundreds of the buggers are coming out of national parks onto good productive farmland and causing untellable damage.

We are hearing about people in the north-west of the State who cannot crop anymore because pigs are doing too much damage. They cannot raise sheep because pigs are taking the lambs, and they have to be very mindful of when and where they are calving. We must be very vigilant on this. Unfortunately, this is straining relationships between national parks and their neighbours. Farmers can do whatever they want to control pigs on their place, but if the same thing is not happening next door, it counts for nothing. That is straining relationships between parks and farmers.

The same thing goes for weeds, and they are not just a problem for nearby farmers. The weeds affect them as well, but no-one wants to visit a national park to go and look at St John's wort or blackberry or crawl through Hudson pear or lantana. We need to spend more money on controlling our invasive species in national parks through strategic and targeted approaches. If we do that, we will also increase the ecological value of those lands. Cats are not doing much good for biodiversity in national parks. African lovegrass is not helping. If we do not see more strategic, targeted investment in biosecurity, we will see more and more problems with invasive species, and we will lose those beautiful assets.

Another point we need to consider as we expand our estate is the impact it has on our local councils. When farmland becomes national park, that council loses a ratepayer. The council also loses a working farm and a farming family that buys groceries in the town and has kids in the school. These are not just numbers on a spreadsheet; these are real people that are affecting communities. I am not at all saying that this means we should

not look to expand our national park estate where it is appropriate, but we need to be careful about the wider implications and see what we can do to support those affected communities. When it comes to access, one particular group I raise is apiarists. There is a massive opportunity to increase beekeeper access to our national parks. Many in the industry feel that they have been squeezed out of the national park estate. This is in contrast to other States, which are capitalising on beautiful eucalypt forests to produce spectacular honey as well as supporting an industry that has ramifications throughout the whole agricultural sector. I would like to see some serious consideration about how we can get more beekeepers into our national parks.

We are very blessed in New South Wales to have the national parks that we do. They cater for many wants and needs, and I have experienced them in many different ways: on my own, with mates and with my family. There are so many things on offer. I have done day trips to Warrumbungle and seen the visitors centre there. It is a fantastic asset to that part of the world. I have done overnight stops at Myall Lakes National Park and had wallabies hop into a camp. I had an amazing night at the Culgoa National Park. Members have heard the expression "the silence is deafening". The night that I had there remains with me so strongly. I recall the silence that I heard while I camped there and when I woke up early the next morning.

The Gibraltar Range National Park is another fantastic place. I have not done it myself, but I have seen the facilities there for horseriding. I think that is a great thing for us to be able to do, where appropriate, and I would like to see more resources put towards that. We are also blessed to have the arid spaces of the Sturt National Park and the panoramic views of the Herveys Ranges in the Goobang National Park, which in 1836 was traversed by Major Mitchell, the surveyor-general who explored much of that area and noticed the change in fauna and flora from the coastal region to the interior. How fantastic is it that we can go out there and see this land in not too dissimilar condition than when Major Mitchell went through there?

We can also experience the colonial and farming history in many of our national parks. At Nangar National Park near Eugowra, we can encounter birds and animals but also get to learn about farming history. Gundabooka National Park has some great First Nations artwork that ties that area in with the fish traps at Brewarrina. These are great assets that we need to have access to where appropriate. I remember as a kid going to my grandparents' and lots of other houses there were rooms that we were not really meant to go into. We used to sneak in there from time to time, but those rooms were off limits because that is where all the good artwork, family memorabilia or antique chairs were. We wanted to protect those things. I think we need the same approach to our national parks. There are areas that need protecting, such the region that houses the Wollemi pines, one of the rarest and most ancient tree species in the world. There are fewer than 100 of them still alive in the wild. We do not want people driving four-wheel drives through there and we do not want to risk having the pines being ringbarked by horses or having my kids climbing in the trees. We do need safeguards.

The Tenterfield mountain bike park is a great program. I understand it is getting closer to fruition, so that will be great when it opens. There is a fair bit of uncertainty around the different levels of access. We have mentioned horseriding and four-wheel driving. In some places dogs are allowed and in some places they are not. That uncertainty and disparity is causing problems for people throughout the region. Closer to home, the Borenore caves is a fantastic facility. It is so good to be able to go out there. It is a special place culturally as well. But the gates shut at seven o'clock. In summer it is a great place for a barbecue, but you have to be out of there by seven o'clock. There are so many good things about our national parks, and we need to continue to protect them.

I come back to some of the things that the Hon. Jeremy Buckingham said. I will take what he said at face value, but I am not surprised to hear it because our farmers are getting better at managing our land. Our farmers are true stewards of their environment and country, not because Greta Thunberg told them to be but because they know that looking after their land is the best thing they can do for their family and the best way they can feed the world. I just want to touch on that and thank him for those kind words about our modern farmers. We need to move forward with access. I would love to see an access strategy to give affordable, regular and consistent access to our national parks. They are wonderful assets that we need to continue to protect but also continue to make available to many users across this wonderful State.

The Hon. JOHN RUDDICK (15:09): In reply: I thank the contributors to the debate: the Hon. Penny Sharpe, the Hon. Mark Banasiak, the Hon. Rod Roberts, Ms Sue Higginson, the Hon. Anthony D'Adam, the Hon. Mark Latham, the Hon. Jeremy Buckingham and the Hon. Scott Barrett. The good news is that all members at both ends of the political spectrum love our national parks. One side loves them so much they want to share them with others human beings; the other side wants to close them off.

The Hon. Penny Sharpe: That's not true.

The Hon. JOHN RUDDICK: Well, the trend is towards closing them off slowly. I am glad the Hon. Anthony D'Adam is here. I always enjoy his contributions and I know I am talking to a fellow ideologue. He is at the other end of the spectrum. He pretended to be dumbfounded by saying, "Geez, Libertarians are meant

to consider private property to be sacred"—which is very true—and that "Traditional owners, the Aboriginals, have private property rights over this land." I will correct him on Libertarian philosophy. Libertarians do not believe hunter-gatherers have private property rights. We believe that if a piece of land is not claimed by anyone else, or nobody has good title to it, and a fence, homestead or farm is built there by someone, then they do have private property rights.

Like all pre-agricultural societies, the Aboriginal people were hunters-gatherers; they were nomads. There is this glorification of what life was like for Aboriginals in this country prior to 1788, but we do not have any written records. The most powerful insight we have is the biography of William Buckley, a convict. In about 1803 the British attempted to start a colony at Port Phillip Bay, which is now Melbourne. They were there for two weeks. They could not find water so they established the convict colony in Hobart instead.

The Hon. Jeremy Buckingham: No, they didn't. It was Risdon.

The Hon. JOHN RUDDICK: Yes, just up the River Derwent.

The Hon. Jeremy Buckingham: And then they went—

The Hon. JOHN RUDDICK: Okay, Mr Tasmania. Three convicts escaped from that initial settlement. They had not even been to Australia before, having just arrived from England. They thought they could walk to Sydney. Two of them handed themselves in, because it was pretty tough living in the Australian bush, but William Buckley kept going. He was unusually tall—he was six foot six—and he was found by a very welcoming Aboriginal tribe. They were convinced he was a god. He ended up living with that tribe for about 36 years.

The Hon. Jeremy Buckingham: "Buckley's chance".

The Hon. JOHN RUDDICK: Probably Buckley's chance, yes.

The Hon. Jeremy Buckingham: It is Buckley's chance.

The Hon. JOHN RUDDICK: I think there is some dispute over it. Anyway, anyone can read William Buckley's book. It is a PDF. It can be googled and does not cost anything. It is an absolutely gripping account. No question about it: This was a very violent society. There was one tribal conflict after another. Buckley talked about how new tribes would come along and wipe out other tribes. That is not a criticism of Aboriginal society, because that was every human society before agriculture.

The Mabo ruling is interesting. I do not like the consequences of the Mabo decision, but it basically said that there were some property rights in the Torres Strait, because the claimants established some type of claims on property and that there were some agriculture. It was limited, but that is what the High Court said in a very narrow area. The other reality about pre-1788 is that there would have been multiple groups of people coming to this continent.

Another thing I found interesting in the debate was what Ms Sue Higginson said. I do admire her. She has a genuine love for the environment. I have seen photos of her from a few decades ago. She was one of the tree huggers getting arrested. She really loves the environment; I will give her that. But she said that she believes by 2030, some 30 per cent of New South Wales should be national park. We are currently at about 11 per cent. We are almost half way through 2025. That means the State will have to claim about 20 per cent of the land in the next four years. That would make Joseph Stalin proud; it would be a huge seizure of private property. But I think her heart is in the right place.

Having listened to the speeches of Hon. Jeremy Buckingham now for a couple of years, I think he is a rare breed: He is an optimistic environmentalist. Most environmentalists today, sadly, are misanthropes. Deep down, they actually hate people; they do not like people. But the Hon. Jeremy Buckingham said a few times that things are getting better. Well, the environmental-industrial complex hates good news. The truth is the environmental movement started in the 1970s. "Save the whales" was a big thing. It was a good, pure movement that got a lot of support and it mushroomed.

The Hon. Penny Sharpe: It worked.

The Hon. JOHN RUDDICK: It has worked! The beaches and rivers are cleaner.

The Hon. Penny Sharpe: The whales are back.

The Hon. JOHN RUDDICK: The whales are back, absolutely. When I first came to Sydney there was a lot of smog. A lot of western cities had smog, but it is basically gone. Thank you, capitalism, but also thank you to the environmental movement. The more capitalist you are, the cleaner the air is. But the thing is—and what the Hon. Jeremy Buckingham said—the environmental-industrial complex, when there is so much money

involved, hates good news because it wants to freak people out. The Hon. Jeremy Buckingham is going against the trend, so he is on a slippery slope to joining the Libertarian Party, within about 10 years I would say.

The Hon. Jeremy Buckingham: I'm already in one, mate.

The Hon. JOHN RUDDICK: There is some truth to that, yes. We are in denial. National park access is being restricted. There are a labyrinth of rules. There is mass uncertainty, even fear. It is happening slowly but surely. It is the boiling frog syndrome. We learnt in budget estimates that there is a bipartisan long-term strategy to give control of national parks to Aboriginal groups. Of course, it is absurd to give people special rights because of their family tree. The Leader of the Government said that Aboriginal groups want to share the land. Well, in some cases they do; but in some cases they do not. I love Uluru. I have been there four times. It is absolutely stunning. The first three times I was there I was allowed to climb it, but Aboriginals have been climbing it for tens of thousands of years. It is a folly and a recent invention to say we cannot climb it. And it is the same with Mount Warning—it is all made up and all nonsense. There is no evidence that these areas are sacred.

The Hon. Jeremy Buckingham: Mount Warning is made up?

The Hon. JOHN RUDDICK: The fact that it is a sacred site is. We are treating it like it is Saint Peter's Basilica or something. It is all invented, and deep down all members know it. I do not like these name changes, but the one name change I do like is Uluru. Ayers Rock is a bit dull; Uluru is a good name for the international tourists. I acknowledge that Marc Hendrickx is here. He wrote the book. He has documented that going back to the 1800s there are many accounts of Aboriginals walking all over it. And why would they not walk all over it? Climb Ayers Rock and they could see where the kangaroos, the emus and the tribe that wanted to kill them were; it is a great lookout. What parliaments like this do is create incentives for people to make these imaginary claims. It gives them a power trip and, of course, free money. The Opposition leader says that she wants to preserve and conserve. I say that we should not just preserve and conserve but we should encourage people to observe the beauty of the natural world. That is how you get real environmentalists. The Opposition leader said that closures are rare, but I say they are increasing. They may be rare but the long-term trend is that—

The Hon. Penny Sharpe: Government leader, not Opposition leader. Leader of the Government, not Leader of the Opposition.

The Hon. JOHN RUDDICK: Leader of the Government, I apologise. The key point is this is not what you can and cannot do in national parks. This matter of public importance was about the closure of specific areas and trails. That is a serious concern. The noose is tightening. I am pleased that we have had significant interest in this matter.

Discussion concluded.

Documents

IVAN MILAT EMPLOYMENT RECORDS

Production of Documents: Order Amended

The Hon. JEREMY BUCKINGHAM (15:18): By leave: I move:

That, the resolution of the House of Wednesday 7 May 2025 relating to a further order for papers regarding the employment record of Ivan Robert Marko Milat be amended by omitting "Department of Climate Change, Energy, the Environment and Water" and inserting instead "Department of Creative Industries, Tourism, Hospitality and Sport".

Motion agreed to.

Bills

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2025

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. John Graham.

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

Statement of public interest tabled.

Second Reading Speech

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (15:20): I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2025 continues the Statute Law Revision Program. I know the Deputy President is very familiar with this.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I am very excited by this, Minister.

The Hon. JOHN GRAHAM: Members will also be familiar with the program, which has been in place for more than 40 years. The program produces statute law revision bills, like this bill, which have featured in most sessions of Parliament since 1984. Statute law revision bills are an effective method for making minor policy changes and serve as an important mechanism to maintain the quality of the New South Wales statute book by removing typographical errors, updating cross-references and repealing redundant provisions. Schedule 1 to the bill contains policy changes of a minor and non-controversial nature. The schedule gives effect to proposals that are of such minor consequence that they do not warrant the introduction of a separate amending bill.

Schedule 1 contains amendments to 11 Acts and one related regulation. It includes an amendment to the Biosecurity Act 2015 to clarify the intent of existing provisions so that emergency orders for biosecurity emergencies may be extended for up to six months on more than one occasion. A similar amendment to that Act is included to clarify that a control order establishing a control zone may be extended for up to five years on more than one occasion. Schedule 1 also amends regulation-making powers in the Library Act 1939 to clarify that the regulations may prescribe a maximum fee for the late return of library material or a maximum charge for the loss of or damage to library material, rather than the regulations prescribing a specified fee.

Schedule 1 also includes amendments to the Residential Tenancies Act 2010. One of these amendments removes a prohibition on rent increases within the first six months of an unwritten residential tenancy agreement, as this provision has been superseded by a prohibition on rent increases within the first 12 months under the same Act. Schedule 1 also amends the Meat Industry Act 1978, including providing that the Food Authority approve the form of certain documents, rather than having the regulations prescribe them. Schedule 1 makes minor and non-controversial amendments to the Criminal Procedure Act 1986 to correct cross-referencing errors. Other minor amendments, including those of an administrative or clarifying character, are included in the schedule, including amendments to the Animal Research Act 1985, the Biodiversity Conservation Act 2016 and the Transport Administration Act 1988.

I turn to the amendments to the Subordinate Legislation Act 1989. The bill postpones the automatic repeal of a number of regulations, including the Adoption Regulation 2015 and the Protection of the Environment Operations (Waste) Regulation 2014, which would otherwise occur on 1 September 2025. These regulations have already been postponed on five or more previous occasions and cannot be further postponed by order. The amendments extend the repeal of the regulations to 1 September 2026 to ensure that further work can be undertaken in reviewing these important regulations.

Schedule 2 to the bill deals with matters of pure statute law revision, consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. This includes amendments to 21 Acts and instruments to fix typographical errors, correct provision numbering and omit redundant provisions. Schedule 3 to the bill removes the definition of "business day" or "working day" from 16 Acts and instruments, as the term "business day" is now defined in the Interpretation Act 1987. The proposed amendment will ensure that "business day" is interpreted consistently. Schedule 4 to the bill harmonises references to the Judicial Commission in 12 Acts and instruments. The proposed amendments will ensure that references to the Judicial Commission are consistent with the use of that term in section 51 of the Judicial Officers Act 1986. Schedule 5 to the bill contains general savings, transitional and other provisions that are standard to statute law revision bills.

I hope that these examples of provisions contained in the bill, which are representative of provisions contained in the broader bill, demonstrate to members the uncontroversial nature of the bill. Nonetheless, the bill is important to give effect to minor policy changes that do not warrant bringing a separate bill before the House and to otherwise make small amendments to a variety of Acts, which will maintain the high quality of the New South Wales statute book—a quality which is known around the nation. If an amendment contained in the bill causes concern to any member or requires elucidation, members should bring these matters to the attention of the Government. We can arrange for government staff to provide clarification if required. If any particular concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill, as has been done in previous sessions. I reiterate that I encourage members to bring any of their concerns to the Government, and it will deal with them in the usual way. I commend the bill to the House.

Debate adjourned.

COMMUNITY IMPROVEMENT DISTRICTS BILL 2025**Second Reading Speech**

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (15:26): I move:

That this bill be now read a second time.

I am pleased to introduce the Community Improvement Districts Bill 2025. Firstly, it may be new legislation, but it is not a new idea. Improvement district-like entities exist in New South Wales, and this bill creates a framework to reform the existing law. It improves the current regime and enables more areas, more districts, to participate. Secondly, the bill aligns with the Government's place-based strategy interventions, alongside other programs designed to help build back New South Wales neighbourhood by neighbourhood. Thirdly, the bill has been designed after thorough consultation, with in-built protections to balance the needs of a variety of businesses and communities that may want to seize the opportunity to use this law. Finally, it draws on a wealth of international and local evidence, including from the New South Wales Government's pilot program. I will talk about each of those four ideas before moving to the detail of the bill.

Some district-like entities already exist in New South Wales. However, despite a strong appetite for the initiative, it has not gained traction because the existing process is cumbersome and does not provide businesses with enough certainty to press ahead. This bill is required to solve that problem and enable local business collaboration. There are currently no appropriate guidelines or governance arrangements in place to support a consistent approach to improvement districts across the State, nor is there any statutory recognition of this specific type of arrangement.

I give members some sense of the current arrangements. For example, businesses that wish to establish an improvement district-like organisation using the Local Government Act 1993 need to first convince their local council and the broader community of the merits of the idea. If they can reach agreement with council that an improvement district-type organisation is a good idea, a ballot of the property owners is required and, depending on the structure of the new rate, approval to vary the council's general income rate peg may also be required. That involves going to the Independent Pricing and Regulatory Tribunal. Only then can the new levy be incorporated into the council's draft operational plan.

If the improvement district is supported by council grants, then typically councils need to go through council procurement and grant processes before they are able to legitimately do that. No established requirements exist for what might apply. It is at the individual council's discretion as to how to assess such a proposal. If a proposed improvement district-type organisation involves establishing a council-related entity to govern it, the council might also need to apply for ministerial approval to form or participate in the entity. In practice, that process can take years, during which the original impetus from the enthusiastic local businesses has often passed.

However, some have made it through the hurdles. In Newcastle, the Wallsend Town Business Association is an improvement district-like entity that is in operation. That association has 140 members and a budget of \$170,000 for the 2024-25 financial year. That funding was raised through a special business rate levy accumulated from commercial property rates. Another example was highlighted by the member for Penrith in the other place. The Penrith CBD Corporation, which has been operating for over 30 years, has 401 members and an annual budget of \$350,000. Funding comes from special council rates for the Penrith CBD and membership fees from businesses. The member for Penrith said:

Some examples of the services and projects that the Penrith CBD Corporation undertakes include festivals, street parades and tree lighting. The corporation also makes non-physical interventions such as district branding and data collection. It helps local business startups and is very good at connecting people who want to move into the Penrith CBD with the owners of those premises, who do not always live in the immediate area. It is like a brains trust for businesses in the centre of Penrith to tap into for all sorts of things that they need to start up and to operate. It helps with strategic planning and all those wonderful soft services that are critical for businesses to thrive.

The Government received feedback from the improvement districts white paper and the exposure draft improvement district legislation, which were released in 2022 and 2023 respectively. That feedback outlined that stakeholders want a streamlined process, which is understandable. We were told that the current process is uncertain, not fit for purpose, cumbersome, costly, time consuming and inefficient. The two consultation processes gave us that feedback. This legislation seeks to reform and streamline the process, remove hurdles and overcome the economic free-rider problem. Once the bill passes into law, it is anticipated that improvement district levies, rather than other funding sources such as might be used under the Local Government Act 1993, will be used to fund the establishment of improvement districts in New South Wales. I emphasise that key point to the House. The law exists, but it is hopelessly in need of reform. This bill does that.

The bill aligns with the Government's place-based strategy that uses tailored place-based policy interventions, working with councils and businesses. In the context of the Government's vibrancy agenda, improvement districts are not just about hosting one-off activations. They are about new models for managing place experiences and working with councils, community, local businesses and often the creative sector. A series of precinct-based programs are rolling out, such as Open Streets, Uptown, Purple Flag, special entertainment precincts and these improvement districts. Each of those perform a different role, but together they celebrate what high streets and CBDs already have to offer. They put the community or the council or businesses in charge of decision-making and activating the local neighbourhood. Some are regulatory tools, others are collaboration programs and others are grants. But each are layers that help build this approach.

There is a slow rebound happening across the State, including in central Sydney. In good news for central Sydney, the City of Sydney has announced plans to vastly extend trading hours to become a 24-hour city. While the city rebuilds, some very encouraging growth has occurred across other areas of the State. In the inner west, Enmore is now a premier nightlife district. It is our first special entertainment precinct. It is a planning instrument that seeks to balance entertainment and hospitality with the concerns of restaurants. We are now working with a dozen local councils to establish entertainment precincts elsewhere across the State. Each precinct will be different to reflect the character and taste of its local community.

The Uptown program is about getting local businesses together, encouraging them to work together and brand together to describe what is special about their local neighbourhood. The best entertainment example of that is YCK Laneways, a collection of 20 cocktail and whiskey bars and restaurants in the centre of the city at York Street, Kent Street and Clarence Street. The New South Wales Government is working to build back the State, neighbourhood by neighbourhood and sometimes block by block. The improvement district model is a more formal part of the program. It recognises that businesses may want to work together but that they need to formalise that arrangement. Collaboration is not always natural. There are free-rider problems that risk progress.

A business cannot always move on its own to promote the area or to improve local amenities, and coordinating multiple businesses can be time and resource intensive, especially for small businesses. Improvement districts provide an opportunity for those partnerships to occur, led by local businesses. I will be clear that the model will not suit every area. But we will not reach the potential of some areas without an arrangement like this. That is the message we clearly received from businesses we are working with in some areas of the State.

I highlight some of the specifics of the improvement district model. The Community Improvement Districts Bill empowers a group of local businesses to elect to form an entity. That entity then develops a proposal to provide services, activities and projects within a defined geographic area. It is voted on by the relevant stakeholders and, if successful, a levy is raised to fund the proposal. The model recognises that businesses benefit from and have a stake in making their local communities as vibrant as possible and better places to live, work and play. The improvement district model is specifically designed to be flexible to cater for a range of scenarios by providing key governance, compliance and accountability measures, in addition to a dedicated funding mechanism.

I will talk through some of the key features. First, at least 25 per cent of eligible property owners and businesses must vote in a ballot. A two-thirds majority of the businesses and a majority of landholders need to vote in favour of the proposal for it to proceed. That is a higher threshold than exists in other jurisdictions. It is a deliberate decision made to protect small businesses and it was made after thorough consultation. Secondly, there is a cap on the levy amount. The Government worked with Business NSW and other stakeholders to identify an appropriate maximum limit for the levy to be paid. The district can design its own levy, but the Government is also putting a cap in place to provide added protection. For businesses with an unimproved land value of less than a million dollars—in some regional pilots that is all of the eligible properties—the levy must be below \$950 per year. Levies will need to be below that amount.

A good comparison is the Sydney Road Brunswick Association, a body similar to the improvement district we would like to see in New South Wales. That association has advised the New South Wales Government that, on Sydney Road, a small business pays \$280 a year, on average.

The Hon. Mark Latham: In Melbourne?

The Hon. JOHN GRAHAM: In Melbourne. Thirdly, the process is designed to ensure community buy-in. The bill mandates that the improvement district entity must consult with the local council before submitting a proposal. In practice, that will be an ongoing process. Councils must provide approvals for activities that the improvement district is intending to provide and must require written service level agreement. Ultimately it is important to note that councils will have veto power over the establishment of an improvement district. That was one of the key pieces of feedback that came out of consultation on the bill. In addition, the bill mandates that the improvement district entity must consult with local communities on a proposal, including residents, business

owners, and business landowners and operators in a local area. Amendments passed in the other place ensure that the consultation process is thoroughly considered before the authority signs off on a proposal. Finally, I acknowledge the Opposition amendments passed in the other place, which this Government supported, and the role they play in improving the bill by introducing a hardship provision designed to be an additional protection for businesses.

Improvement districts allow businesses to directly fund a range of services, activities and projects for the purpose of improving local places. It could include things such as district branding or joint strategic planning. It could include physical interventions such as street beautification, improved public amenity, urban greening and security and safety. Those are some of the things that are provided where this works. The phased implementation of improvement districts, starting with the pilot sites, means that we can assess whether the legislative settings are appropriate as it rolls out across the State.

I will refer to some of the examples elsewhere that have encouraged the Government to adopt this model. The improvement district model has existed overseas for over 50 years and has become increasingly more common in recent decades. From New York to Vancouver, from London and Cape Town to Auckland, improvement districts have played a crucial role in the economic and community development in those cities. In New York, for example, an alliance of city government and local businesses was established in 1990 to improve the amenity and cleanliness of the midtown business district of Times Square. Focusing first on graffiti removal and safety, the alliance set out to make the precinct more attractive to visitors. Pedestrian safety was improved, and pop-up activations and events sponsored by local businesses were encouraged. With more people on the streets and with increased safety, visitors stayed longer and spent more money. Local businesses found it easier to attract and retain staff. Building on the precinct's historic neon signs and nearby theatres, the place was rebranded as an exciting night-time precinct. Times Square is now one of the most visited neighbourhoods in New York.

Improvement districts have also been implemented nearby in New Zealand. In Auckland the vision for improvement districts has been to improve the reputation and perception of the city's streets. Since the emergence of Auckland's improvement district policy in the early 2000s, it has grown significantly. Today there are 51 improvement districts in Auckland, representing 25,000 businesses with a combined capital value estimated at NZ\$72.7 billion. That success was only possible through a sustained and genuine partnership between government, local businesses and the community. Businesses acting alongside state governments, councils and communities to create better spaces in their local neighbourhood is key to the success of improvement districts. They are not just about improving trading conditions for the businesses that lead them; where they work, they improve public spaces, where communities, governments, councils, businesses and business property owners find common interest in improving their local areas.

Improvement districts allow communities to be built around the development of interesting and attractive places that are characterised by a strong sense of local identity. That is because nothing beats local knowledge. That is why we are backing in local businesses and local councils, which know their area and their community, and know what is needed to improve their public spaces and build on their local identity. We have rolled out a pilot program backed by \$5.25 million in funding, with pilot initiatives operating in the following locations in New South Wales: the Clarence Valley improvement districts, the Haymarket Alliance, the Inner West Ale Trail, Murwillumbah, Muswellbrook, St Marys, the Randwick Health and Innovation Precinct, Walsh Bay and YCK Laneways in Sydney's CBD.

Each of those are very diverse. It has been great to see the range of proposals that have progressed, and it has been great to see the reaction from some of those local communities. For example, nearly two months ago, the Haymarket Alliance improvement district pilot launched Neon Playground 2.0 in Haymarket, where over 350,000 visitors are estimated to take part in a captivating display of neon light installations, creative and cultural events, art exhibitions, music and food. Neon Playground 2.0 is Sydney's largest Asian-Australian cultural arts festival, leveraging Haymarket's unique local identity and innovative ideas to create new cultural offerings. It was a bit of a run-down part of town in modern times and this is bringing it back. Chinatown still ranks as one of Sydney's most popular destinations, attracting millions of overnight international visitors.

That is one example. Some of the other pilot improvement districts are starting to have a real impact on the ground. The Randwick Health and Innovation Precinct hosted a market on 11 April. Clarence Valley will be hosting events later this year. Similarly, we are seeing great progress towards improvement district coordination with the New Sydney Waterfront group. That group has spearheaded coordination between the leaseholders and businesses in the area to improve knowledge, understanding, promotion and branding for the Western Harbour Precinct. I recognise the work that it is doing, along with organisations such as the Pyrmont Action residents group, to ensure that the precinct's vision is inclusive for all. That work—led by Geoff Parmenter, Rachael Smith,

Jodie Bain and Jace Tyrrell—is an example of businesses coming together alongside but separate to government to progress a vision for their community.

Alongside the vibrancy reforms, we are hopeful that the bill will establish a dedicated legislative framework that is the first of its kind in our State and in Australia. It builds on examples overseas and it builds on what already happens through a tortured process in desperate need of reform in our State. I recognise that early white paper led by Rob Stokes as Minister under the former Government. He was a big proponent of improvement districts. He described them as "a locally led, bottom-up approach". We have examples in New South Wales. Ultimately, whatever is going on overseas, the Government wants a model that works for Australia and for New South Wales. That will be different to what is going on overseas. I will talk more about that in my speech in reply. But we have to build something that works and will be distinctive not only for our State but also for the various neighbourhoods, suburbs and towns of our State.

I thank the countless businesses, community members, councils, peak bodies and organisations for their invaluable contributions to the development of improvement district policy over the past few years. Through online submissions, consultation and participation in targeted focus groups and workshops, so many have helped develop the bill to what it is today. That has included groups such as the Committee for Sydney, Business NSW, Business Sydney, Business Western Sydney, the Country Mayors Association, Local Government NSW, Mainstreet Australia, the Australian Hotels Association and many others.

I thank the Opposition, in particular the shadow Minister, the Hon. Natalie Ward, and Tim James, member for Willoughby, as well as their offices, for their engagement on this bill. In addition, I thank Alex Greenwich, MP; Michael Regan, MP; Jacqui Scruby, MP; and many other members in this place and the other place. I thank the Transport for NSW team, whose expertise has been crucial in developing this bill, in particular the ever-thoughtful Ed Steane, Helen Barcham and Ruth Graham. I also thank the Transport pilot program team and other agencies who have worked with us, Placemaking NSW and the acting Small Business Commissioner and my colleagues Jenny Aitchison and Janelle Saffin.

I seek leave to have the remainder of the second reading speech incorporated in *Hansard*.

Leave granted.

The structure of the Improvement District Bill comprises:

Part 1 sets out the important objects of this legislation and how the legislation will foster the establishment and operation of community improvement districts.

Part 2 provides for the functions of the Authority.

Part 3 deals with the preparation and approval of improvement district proposals; the mandatory requirements to be included in an improvement district proposal, how improvement district ballots will occur, how improvement district proposals will be approved, the need for council support, and the requirements around improvement district entities.

Part 4 deals with financial matters such as the imposition and collection of improvement district levies by the Authority.

Part 5 includes miscellaneous provisions including the application of the bill to Government land, delegations, sharing of information, review rights and regulation-making powers.

Schedule 2 includes consequential amendments to the State Debt Recovery Act 2018, to provide that levies, fees and interest are referable debts—allowing, amongst other things, access to the State Hardship Review Board.

Schedule 3 contains the Community Improvement Districts Regulation 2025 which prescribes the two permissible methodologies for calculating improvement district levies.

The Improvement District Bill contains provisions to ensure that the improvement district scheme in New South Wales is characterised by certain elements to ensure that the bill is fit for purpose in New South Wales. These provisions have been informed by feedback through the consultation process.

This includes five-year approval terms for proposals, mandatory community consultation, the role of council, the role of the Authority and the involvement of businesses in ballots.

The long-term stability of improvement districts will be supported by five-year approval terms. Approvals can be renewed after this term, subject to a new ballot within the improvement district entity to determine sufficient ongoing support.

The Improvement District Bill also recognises how critical community engagement is to the success of Improvement districts.

When the draft Improvement District Bill was out for public consultation in December 2023 to May 2024, councils and Local Government New South Wales outlined in their submissions that they wanted community engagement to be central in improvement district policy.

Section 9 of the Improvement District Bill is a direct response to the feedback councils and Local Government New South Wales provided.

Section 9 now sets explicit requirements on community and council consultation in the development of an improvement district. In other words, an improvement district proposal will not be given the green light to proceed unless the improvement district entity can demonstrate that it has consulted with the community. A letter of support from the local council or councils which the improvement district entity traverses is also a prerequisite for an improvement district proposal being approved.

We heard, through feedback on the Exposure Draft Improvement District Bill, that stakeholders wanted clarity on who exactly the Authority would be and how this would be operationalised.

The Improvement District Bill confirms that the improvement district legislative framework will be overseen by a single fully Government-funded Authority — that being, Transport for NSW.

The Authority will be responsible for compliance and consistency in how improvement districts will be run across New South Wales, and will also be responsible for imposing, collecting, and distributing improvement district levies, in addition to managing a dedicated levy fund.

Importantly, the Authority will also support the implementation of improvement districts through education, training and capability building activities.

The improvement districts legislation does not apply to land within a local government area until the Minister, by order published in the Gazette, declares the area to be an area subject to the Act.

Initially the improvement districts legislation will only be made available to those local government areas that currently host a project in Improvement District Pilot program. These areas are Clarence Valley Council, City of Sydney Council, Inner West Council, Tweed Shire Council, Muswellbrook Shire Council, Penrith City Council and Randwick City Council.

Following commencement of the improvement district legislation, the New South Wales Government will work with councils hosting Round 2 projects, and other interested local governments across New South Wales, about where else the legislation could be made available. In the medium-term the legislative framework for improvement districts will be available across the whole of New South Wales.

The staged implementation of the improvement district legislation will allow that the Authority to support communities, businesses and councils, ensuring these stakeholders are properly equipped to participate in the improvement district scheme and understand their responsibilities.

Moreover, the phased implementation of the improvement district legislation will also act as an important protection for communities, businesses and councils, enabling the New South Wales Government to assess whether the legislative settings are appropriate and how they might be adapted to better accommodate the New South Wales context.

To support the implementation of this unprecedented legislation, Transport for NSW will be funding the operation of the Authority. No part of any improvement district levy will be used for the Government's cost of administering the improvement district scheme. This is in response to clear feedback from businesses, councils, and other jurisdictions on this point.

The New South Wales Government have allocated \$5 million over the next 10 years for direct financial support for improvement districts across New South Wales.

This funding will be used to support the processes that improvement districts must undertake under this legislation including the extensive community engagement and voter list development requirements contained in the legislation.

The New South Wales Government recognise that the first groups progressing improvement district proposals under this new legislation will need additional support — this funding allocation will help deliver that. In addition, the New South Wales Government will fund the establishment and operation of the Authority and will also provide the necessary funding for improvement district ballots to occur.

The New South Wales Government recognises the importance of appropriately resourcing for this policy. I can reassure the House that such resourcing is in place.

Another key element of the Improvement District Bill that has been significantly redrafted following stakeholder feedback on the Exposure Draft are the provisions around the ballot.

The ballot is a crucial mechanism by which support for the improvement district proposal is determined and includes details around which of the two permissible methodologies for calculating the levy the improvement district will use.

Originally, it was intended that only landowners in the defined improvement district area would be able to vote in the ballot, as per the approach taken in other jurisdictions, such as New Zealand.

Business owners know their customers and are passionate about the communities they live and work in. They know what changes will result in increased visitation and trading, and what changes to a public space will be successful in achieving these aims. For this reason, the Improvement District Bill before the House allows businesses in the improvement district area to also participate in the ballot.

Two thirds of businesses voting will need to support the proposal for it to proceed.

The Authority will be responsible for ensuring that a ballot is conducted validly. For this to occur, at least 25 per cent of businesses and 25 per cent of business landowners in the improvement district entity need to vote.

Having improvement district levies payable by business landowners will support a source of long-term sustainable investment in improvement districts. Property owners will also benefit from increased property values over time.

However, it is expected that business landowners will typically pass levies on to business tenants in the improvement district, as an outgoing cost — subject to there being a lawful basis for this, such as in accordance with the terms of their lease or in line with section 12A of the Retail Leases Act 1994.

Where land is untenanted, the business landowner will need to pay the levy themselves. This will be an incentive for landowners with vacant commercial properties to actively seek tenants, potentially reducing the number of vacant shopfronts in New South Wales.

The ballot model in the improvement district bill works on a one vote — one entity basis, reflecting the importance of ensuring that all parties have an equal say in the ballot process and no party can monopolise this process.

This is a fundamental protection for businesses, particularly small local businesses which are so integral to community life. It is critical to the success of the improvement district policy, that businesses who know their local area are elevated as leaders through the legislative framework.

Providing local business with the opportunity to take the driver's seat will ensure improvement districts are developed in ways that meet the needs of the small business community in addition to broader community expectations.

The New South Wales Government acknowledges the financial investment that businesses will make to participate in improvement districts, particularly as the levy will be passed on to businesses in most scenarios.

As such, the Improvement District Bill also includes provisions to ensure appropriate accountability is in place with respect to improvement district levies. For example, improvement district levies will be required to comply with any cap set by the Minister.

The cap will be set at \$950 per property, for properties worth less than \$1 million. The levy will need to be set a level below this figure.

We also recognise that smaller businesses can be particularly vulnerable to shocks and downturns in their trading environments. When a business is doing it tough, we know it can be difficult for them to pay their bills. Improvement districts are intended to improve trading conditions and protect small businesses, but we understand there will likely be unique circumstances where a business (or their landlord) can't meet their obligations.

For this reason, under the Improvement District Bill, the property owner is legally liable to pay the levy. The levy will be prescribed as a referable debt under the State Debt Recovery Act 2018, to enable the hardship provisions of that Act to apply to the collection of the improvement district levy, including a time to pay order (payment plan).

These requirements have been informed by the detailed consultations that we have undertaken to ensure that the improvement district policy is robust and democratic.

The role that councils will play in improvement district policy will also be fundamental to the success of the improvement district scheme.

Partnerships between improvement districts and local government will allow for value adding contributions to be made in local districts and public domains, with the aim of revitalising local economies, creating a sense of civic pride and enriching community life. These partnerships also ensure that the activities of an improvement district align with a democratically elected council's strategic intent for an area.

For this reason, the Improvement District Bill mandates consultation with council before a ballot is undertaken. And after the ballot, councils will have to give their formal approval before an improvement district can commence.

The Authority will need to specify a time period in which the council must provide formal notice of whether they approve the proposal or not.

In recognition of concerns from Local Government New South Wales, an amendment to the bill has been made in the other place to increase the original 30-day minimum time period to 60 days. This will ensure that councils have adequate time to review proposals and have it ready on the agenda for the next available council meeting. Importantly, the Authority can specify a longer time-period as required.

If councils have not been properly briefed, they will not be able meaningfully consider proposals. This will increase the likelihood of proposals being rejected, regardless of merit. This is why this amendment is fundamental to the success of the improvement district scheme.

However, if a council doesn't provide its support, the improvement district proponent will need to work with council to find common ground so that the council can support.

In the event that the geographic area of a proposed improvement district crosses over council boundaries, all respective councils will need to support the proposal for approval to be granted. This approach will allow councils to be satisfied that the improvement district will deliver value for their community and is being set up in a way that the council will be able to work with. Councils will also be able to consider an improvement district proposal in the context of their own policies, strategies and plans.

Through consultation we heard a concern from councils, such as the City of Sydney, about the potential for a party to appeal a decision by council not to support the proposal. We have listened to these concerns, and we have updated the bill to reflect this. The right of appeal has been removed and an improvement district will not proceed until the council or councils in the improvement district area confirm their support.

Councils also told us about the importance that improvement districts build upon, not duplicate Council/Government services and need to align with Council/Government plans and strategies. Local Government New South Wales, Uptown program participants such as YCK Laneways, the Chippendale Collective, the Haymarket Alliance and Uptown Sydney, and councils such as City of Sydney; Blacktown City; Cessnock City; Lake Macquarie City; Northern Beaches; Port Stephens; Shellharbour City and Shoalhaven councils all suggested to us that the legislation needed to be clear on how this would be achieved.

We have listened — a key object of the legislation now before this House is for improvement districts to support the New South Wales Government's and local council's placemaking and economic development policies. We have also included detailed requirements for what an improvement district proposal must contain — to give visibility on what the improvement district will be doing — and we have, as noted above, further strengthened the council "veto right" to allow councils to ensure they are comfortable with what is proposed.

The Authority will have the power to suspend the imposition, collection or distribution of levies, if an improvement district entity has become non-compliant, including in their responsibility to align with local government placemaking and economic development policies.

It is also the government's intention that a Service Level Agreement between council and the improvement district will need to be struck before the improvement district commences. This will confirm the relationship between council and improvement districts – defining who leads, who partners, and how they will move together in sync.

We heard from councils such as City of Sydney; Lake Macquarie City Council; Hills Shire Council and Local Government New South Wales about importance of knowing who the improvement district entity would be, and how it would operate.

In response to this feedback, the Improvement District Bill now requires that the improvement district entity is an Incorporated Association under the Associations Incorporation Act 2009. Furthermore, the Improvement District Bill now also establishes that all business landowners and businesses in an improvement district will be eligible for free membership to their improvement district entity. The choice to become a member in the improvement district entity is voluntary — but the option for each business landowner and business is there.

Finally, I note that prior to releasing funds to the improvement district entity annually, the Authority will ensure that compliance requirements, to be set out in regulation, are met.

In other jurisdictions this can include requiring information on the annual improvement budget, details of monitoring and evaluation, advice on how conflicts of interest have been managed, and confirmation that the entity is compliant with the requirements of their incorporated association legislation. We will investigate similar requirements in New South Wales.

The Improvement District Bill provides an unprecedented opportunity to leverage local know how and passion and funnel that through services, activities and projects that will revitalise neighbourhoods across our State.

Improvement districts exist across the world, and we've got close in New South Wales with examples like Penrith.

The Improvement District Bill formalises this governance model so others can take part and will reinforce New South Wales place as an international leader in place-making and economic development policy.

I commend the bill to the House.

Second Reading Debate

The Hon. MARK LATHAM (15:47): I oppose the Community Improvement Districts Bill 2025 on a number of fronts. One is the whole question of the legitimate role of government in economic policy. What works best? Industry plans, regulation, taxes, committees, strategic plans, more subcommittees, more frameworks and more so-called incorporated associations run out of Macquarie Street; or a policy that facilitates enterprise, initiative, lower business costs, deregulation, freer trade and generally getting out of the way of the private sector? In Australia at the moment we have a critical problem and are at a critical turning point in our economic future. Over the past couple of years 80 per cent of the new jobs in Australia have come out of debt-funded public sector initiatives led by the so-called care economy: child care, disability care and aged care. We used to have a private sector economy, a free enterprise economy in Australia where the vast majority of jobs came from private businesses. That has been reversed. We now have a public sector economy, with 80 per cent of new jobs debt-funded by government.

We need to re-liberate the private sector in Australia from the dead hand of government that, in so many areas, tries to do too much. Minister Graham is an outstanding example of that. He is well-motivated and well-intentioned but, in every sector he touches, he has never seen a committee, a subcommittee, an advisory board, a strategic plan, an industry consultation workshop or a community improvement district [CID] association he did not like. He loves them all. He cannot get enough. It is a centrally planned, committee- and board-led recovery, apparently. What is wrong with that?

The Hon. John Graham: Let business be business.

The Hon. MARK LATHAM: We can let business be business without making people who lose a local vote pay a levy. That would let businesses be businesses, in the tradition of business knowing best. As the Minister said, nothing beats local knowledge. If you are in the main street of Muswellbrook or Cessnock or any other town outside of Sydney and you lose the vote and must pay a levy, you will not be really happy about that extra business cost at a time when you can least afford it and may be run out of business. So it is a question of economic philosophy.

I have said this before, but it bears repeating in the Chamber. Paul Keating tells the story of how, when he arrived in Canberra in 1969, the crusty old souls of the socialist left faction—which is perhaps not as socialist left as it used to be but is still carrying that label, led by this fine Minister—would sit around half-tank in the dining room in Parliament House late at night drawing up their steel industry plan, their car industry plan, their nuclear manufacturing plan—this, that or the other plan. They had more plans than you could possibly imagine. And the young Paul Keating sat there, thinking, "These old crusty drunks can barely fill out their travel allowance form, let alone work out a plan for the steel industry or aluminium industry in Australia." How right he was. It guided his philosophy.

Earlier today in one of the divisions, in answer to me arguing that we could leave this to local governments under their current power in section 495 to make special rates, the great Hon. Jacqui Munro said to me, "We can't leave it to local government because they're all hopeless." My response to her was, "Have you had a look around this building?" You go to some of those functions with the brain-dead zombies of the Legislative Assembly and you are in the land of the living dead. It is a frightening experience. This Chamber has a life and a basic intelligence to it that outstrips the other place. But thinking for a moment that we are some superior beast in State politics and local government cannot do it is overreaching. Nothing beats local knowledge.

The bill is over-planning and an overenthusiastic attempt of this well-motivated Minister to put his tentacles into every sector for which he has responsibility, of which there are many. Whether you are playing in a band, painting a picture, selling coffee in the main street of a town or doing many other activities, there is nothing that the Hon. John Graham is failing to do to reach into your activities and have some influence on you. He is an active Minister. Some Ministers are doing nothing. This Minister is doing a lot. I just think it needs to be in the area of deregulation rather than the creation of new restrictions.

In New South Wales we have a night-life economy and local urban activity where you cannot order a shot of Scotch and put ice in it. You need to have water, even though the ice will melt and become water. These liquor restrictions and some of the other town-planning restrictions on night-life activity are a real dead hand on what is happening in New South Wales. Clearing all that regulation away must be the top priority. I have asked a question on notice as to what progress the Minister is making with his promised review by the Productivity Commission to that effect.

Surely lifting the dead hand, lowering business costs, getting people back into proper workplaces and lifting productivity post-COVID must be the overwhelming economic objective. I do not see much of that from this Government. It will probably fold on mandating a return to the office, given the result of the Federal election. Productivity must be the number one objective. Australia has a productivity crisis. We have gone backwards to a 2016 level, and with that our living standards have collapsed. For all the Trump derangement syndrome, the United States is outstripping us both in productivity and living standards, for obvious reasons.

I do not see the need for these committees. They could be divisive at a local level. If one loses a vote, there will be arguments about whether this should go ahead. There is this idea of a vote where only 25 per cent participate and, if two-thirds of the businesses support it, it goes through. What about the other third, or the 75 per cent who are actually too busy running their businesses to be involved in the vote and the campaign and the local activity? Why can we not let businesses get on with their tasks in a freer economy, a freer enterprise environment? I think that would be superior.

We have this provision now in the Local Government Act. Councils have a veto power in this area. Why do they need these CIDs, given that they can already make special rates to achieve all the things the Minister now wants to achieve out of Macquarie Street from the department of transport? That is the other curious thing. Like the Hon. John Graham, Rob Stokes was an equally active and enthusiastic Minister with his finger in every pie. Apparently he got Transport for NSW to form a unit to fix up district plans. In New South Wales we cannot settle a train strike or an industrial agreement with the rail union, or run bus services in places like Muswellbrook or enough trains to satisfy the local people. But the businesses in Muswellbrook must now understand that we have public servants in Transport for NSW working on these CIDs, supposedly for their benefit.

Again, I think it is an upside-down priority. I do not know why Transport for NSW has anything to do with this. Is this not an urban planning or economic initiative rather than something for a unit that has grown like Topsy inside the department? There are many other things Transport for NSW could be doing effectively, like giving consistent evidence on the Outer Sydney Orbital before a court and a parliamentary committee. I would like to see that. Like all departments, it is in some respects a bit troubled. I do not see how working on this will help to ease any of the pressures or problems.

In terms of allowing councils to get on with it, councils can just veto all this and say, "We already have a power to make special rates." Better still is not increasing or making a special rate but offering businesses a rate holiday. Back in the day, when I wore a municipal hat in Liverpool, we offered every business in the Liverpool CBD—one of the Macquarie Towns, which had many abandoned, disused and at times neglected heritage buildings—a rate discount if they restored their heritage facades so that it went back to being a presentable heritage-type place. Pretty much the only heritage buildings that look decent in Liverpool these days are those that were beneficiaries of the rate holiday offered all those years ago. So where is the provision for cutting rates and cutting business costs to encourage businesses, which are so busy and trying to keep their heads above water, to actually do things that are in the collective interest?

I can understand the philosophy here. It is the old economic question of managing the commons. How do you get a collective, common benefit out of this sort of initiative without the problem of the free rider? If everyone

benefits, everyone should pay. But you will have some disputes and division locally when the losers have to pay when they did not even want the initiative to go ahead in the first place. Nothing beats local knowledge. Managing the commons out of Macquarie Street as opposed to letting a council do it is very problematic indeed. As old mate the Hon. Anthony D'Adam knows, it is also a question of seeing like a State—that the State Government likes ordered, planned, linear development. Private enterprise is out there, random, dynamic and dispersed. When the two come together, you do not find a lot of success.

I was a bit taken aback to hear that the model we are replicating is from Melbourne. Talk about the land of living dead post-Dan Andrews! I do not think that Melbourne is an economic model for Sydney or any other part of our State to follow. I think Jane Jacobs had it right: Let us have mixed use, people, activity, less regulation and more freedom for people to do the things they want to do, whether it is night-life, bands, music, entertainment, the arts or having a Scotch on the rocks, as opposed to what the myriad of committees, planned groups, subcommittees and advisory bodies are telling people to do.

There is a better way than this bill. I acknowledge the Minister's fine motivations; I just do not think it is the right approach. Why can we not allow local governments to do the job through their special rating power under section 495 of the existing Local Government Act? We are replicating a local urban town-planning and economic initiative out of Macquarie Street—out of Transport for NSW—for things happening all over the State. It just does not make sense at any level. As I said at the crossbench briefing, one day someone will write a PhD on the weird ways in which governments operate—and I reckon this bill will be the opening chapter, quite frankly. That it emerged inside Transport for NSW in the days of Rob Stokes when local government can already do it tells you everything you need to know about how things have gone wrong in today's Australian economy.

The Hon. NATALIE WARD (15:58): I lead for the Opposition in debate on the Community Improvement Districts Bill 2025. The Opposition has a number of concerns around this bill, which I will outline. Those concerns were articulated by my colleague in the other place and amendments were proposed there. Additionally, we will move amendments in this place. Ultimately we support the bill, and we hope to receive support for our amendments. I acknowledge the work and passion of the Minister for the Arts, and Minister for Music and the Night-time Economy, the Hon. John Graham, and his office for briefing the Opposition and working with my colleagues on the legislation.

Ms Cate Faehrmann: What about Transport? He's the Minister for Transport.

The Hon. John Graham: She'll come to that. You don't need to worry. I think that was a set-up.

The Hon. NATALIE WARD: She's very quick. She picked up on that. He is also the Minister for Transport. That was my punchline. I acknowledge my colleague in the other place the shadow Minister for Small Business and member for Willoughby, Tim James, and in this place the Hon. Scott Farlow, shadow Minister for Planning and Public Spaces. I thank them for their teamwork on the bill. There are two challenges with the bill at the very least: the policy and the organisation. Reform is not easy; it never is easy. Building more vibrant communities is both a worthy cause and a bipartisan aspiration. Legislating community improvement districts can provide an opportunity for local communities to build place-based partnerships between government, councils, businesses and business landowners to improve the area.

As the Minister outlined, the central aim of these partnerships is to enhance public spaces, stimulate local economies and support community building. The activation of public spaces via the community improvement district [CID] framework could have many positive effects, including but not limited to stimulating local economies and encouraging job creation, and empowering businesses to direct and drive what they see as priorities, and not council or bureaucrats—although I note the involvement of both. Additionally, it will enhance local neighbourhoods and hopefully attract visitation and facilitate vibrant community interactions.

The initiative started in 2022 under the former Perrottet Government as "business improvement districts", under the guidance of the Hon. Rob Stokes. At that time, he was the Minister for Cities, Minister for Infrastructure and Minister for Transport and Roads. That may answer some of the concerns of the Hon. Mark Latham about why the scheme began in Transport. Nonetheless, I also put on record and articulate my concerns about the scheme being in Transport. That process followed successful activations in North America, the United Kingdom and New Zealand. It began here with a business improvement district white paper in September 2022, which sought feedback from the community and business and was supported by a further policy position paper in February 2023. That provided the mechanism for a pilot program and outlined the need for legislation in the area. That was then supported by the Labor Government, which funded support for 10 pilot programs in CBD, suburban and regional locations.

The Government undertook consultation on a final draft bill in September 2023. I am advised that that thorough feedback led to the bill we are debating. While there have been many improvements to the bill since its

last iteration, the Opposition has a number of concerns. Yesterday we addressed some of those concerns by amendment in the Legislative Assembly, but I foreshadow that we will move amendments to the bill at the Committee stage. In saying that, the Opposition supports the overall thrust of the bill. I acknowledge, importantly, the earlier work of our former colleague from the other place the Hon. Rob Stokes, for his vision and leadership in this space some years ago. He continues to have an interest in this area.

The Opposition notes advocacy for the policy by Business NSW, Business Sydney and the Committee for Sydney, among others. A number of stakeholders have shared their views and concerns with the Opposition. We need new ideas to stimulate growth and a more active and engaged city. The Opposition understands stakeholders interested in the community improvement district framework include the ICC Sydney, Lendlease, Markham, Mirvac, Sydney Fish Market, GPT Group, The Star, UTS, Accor, Business Sydney, Crown and Powerhouse, among other businesses. We note also the geographic spread of CID trials as pilots, including in the regions and throughout the city.

Any reform to improve vibrancy must have a statewide focus, in our view. So far, the CID trials appear to be achieving that, but the Opposition is interested in feedback about how businesses are experiencing that across New South Wales. The Opposition notes also that the framework for approval from local businesses and landowners includes a two-third majority for businesses within a prescribed zone and a majority of landowners. I note that a previous proposal for the threshold was at 50 per cent. It is positive and welcome that that was increased to two-thirds after some advocacy. That demonstrates a more substantial majority, which we feel is important. I note that is a higher threshold than a Federal election ballot, on which one can form a whole government, let alone a community improvement district.

The Hon. Rose Jackson: The same as a pope, though.

The Hon. NATALIE WARD: The same as a pope—quite right. However, the Opposition has a number of concerns. It is incumbent on us to place those on record and see whether they are listened to. We have been listening to and engaging carefully with the views, perspectives and concerns of small businesses and the small business community on the bill. While the Government promotes the bill as a tool for revitalisation, we must ensure that it does not inadvertently or otherwise penalise the very businesses it seeks to empower. The Opposition is clear: No small business should be worse off as a result of this legislation. We must work through that very carefully.

The bill enables groups of business owners and landowners to propose a community improvement district within a defined geographic area subject to that vote and approval from Transport for NSW and the relevant local council. Once established, a community improvement district can levy charges on business landowners to fund additional services, events or precinct improvements. If it gets through the hoops and hurdles to get to that stage, it becomes a mandatory levy upon those businesses in that region, area, defined zone or otherwise. Members in this place are very conscious of that. We want to ensure that small businesses get a fair go. They are in very difficult economic times right now and have substantial red tape and obligations on them. It is important that they get a fair go. Their views and concerns must be genuinely heard and put into action.

Mechanisms for review and hardship must be taken into account. That is why I was pleased that the Opposition amendment in the other House was supported. All manner of businesses—local small businesses, family-run shops, cafes, small service providers, health providers, accountants and florists—are doing it tough and have very thin margins in the current economic crisis. In many instances across our State, they are the backbone of our local economies. We are conscious that recent years have been very hard for small businesses across New South Wales. We want community improvement districts to succeed, but they must succeed with small business. They must bring small business along on the journey and they must achieve net positive outcomes for those small businesses.

It is not enough for an idea in theory to cause harm to those businesses in practice if they do not have the most votes. It cannot come at the expense of small business and they ought not be at a relative disadvantage when it comes to those matters. While the model has shown promise internationally, particularly in New Zealand—which I understand now has 50 community improvement districts in Auckland alone—and the United Kingdom, its success here hinges, in our view, upon fairness, proper safeguards and genuine small business representation. On that basis, I foreshadow that the Opposition will move a number of amendments to strengthen the bill, to protect and serve those small businesses and improve accountability.

These amendments will protect small businesses from unfair levies and unintended burdens, including through the successful hardship provision, and ensure transparency and proper oversight, strengthening the voice of small business in the ongoing management of projects. I am pleased that amendments will be moved in the Committee stage. I turn now to our second concern. The Opposition cannot understand why CIDs will be managed by Transport for NSW. To be fair, I raised that with the Minister. I understand they originated under a former

Minister for Cities, and Minister for Infrastructure, who also happened to be Minister for Transport and Roads at the time. But I cannot understand why that should continue in the bill. It could easily have been changed. It should be in planning or other areas. While I understand the passion of this Minister for vibrancy, it is extraordinary that it is in transport.

Transport in Sydney is probably at an all-time low. Currently, one in five trains do not run on time and no-one has confidence in the bus system. Sydney Metro Southwest has been delayed yet again, with the Government unable to tell anyone when it will open, what it costs or what is causing the delay. No-one seems to know the plan for Sydney Metro West or the cost of the delay. Parramatta Light Rail could not open on time, and the transport investment budget is scheduled to decrease by 34 per cent over four years. Why exactly we would want the transport department to focus on small business collectives is of some concern to the Opposition. I say this respectfully, but it screams of ministerial overreach. We would not expect Transport for NSW to start managing hospitals, the health department, the local court system or otherwise.

The Hon. Jeremy Buckingham: Shame!

The Hon. NATALIE WARD: I am doing well when I get traction from the Hon. Jeremy Buckingham. I know I am hitting it home. The Opposition does not believe that Transport for NSW is the best agency to administer these districts under the current machinery of government provisions. It should be focused on getting buses on the road and trains to run on time. Josh Murray should not be setting up businesses in these fantastic areas. It seems clear under this Government that Transport for NSW has largely abandoned its placemaking role, which was part of the Cities portfolio in the previous Government when the Infrastructure and Cities ministries were connected to the department of transport. I applaud the Minister's work, enthusiasm and interest in the policy area; I think it is genuine and well driven. But this area clearly does not sit neatly within Transport for NSW as currently constituted. I have spoken with the Minister directly, and I will let him speak on the record, but I understand that is where the unit presently sits.

Essentially, we are talking about matters of placemaking, business, enterprise and community. In many instances they may have absolutely nothing to do with transport. Perhaps the planning department should be having an interest as well. If Transport for NSW is to take on more, which is precisely what the bill proposes, then we ought to be certain that it is capable of meeting the demands, resourcing and needs of such a proposition. Currently there are big challenges in the transport space. Frankly, the concern is that Transport has too much on its plate. The train is full, and it needs to be focusing on core business for constituents. We struggle to make the connection between the two. Nonetheless, we will watch and wait.

We are conscious that the focus of Transport for NSW should be on transport, and we will be closely monitoring that. We understand that reform is never easy, but, in our view, this reform ultimately is only worthy of pursuit when the right safeguards are built in. We acknowledge that improving local economic hubs and enterprise is a worthy endeavour and that we should seek to embrace opportunities for reform, but we must also do the work to get it right and optimise it to ensure it has every prospect of success. We must be brave enough to ensure there are reviews, hardship and other provisions built in.

Risks and opportunities both need to be managed in this space. Reform is difficult. We have been party to reform before, and we will support the Government on this journey. However, the Government should also know that we will be watching how it plays out. We intend to call out any issues associated with the program should they arise. That is the job we should be doing. We thank the Government for working with the Opposition on the amendments in the other place. We will look to further improve the bill with proposed amendments in this place.

Ms CATE FAEHRMANN (16:13): On behalf of The Greens, I speak in debate on the Community Improvement Districts Bill 2025 and indicate from the outset that we will oppose the bill. I also put on record that I floated with members the idea of sending the bill to inquiry because there are a lot of unanswered questions. However, when the Opposition indicated its support for the bill, I chose not to move that motion given the hour on a Thursday afternoon and the business scheduled before the House. I knew a move to establish an inquiry would not be supported by the majority in this place.

The Greens oppose the bill because the Government, I believe, has tried to address the community's legitimate concern about a legislated scheme that transfers powers over local public spaces from local government and local communities to private enterprise by simply replacing the word "business" with "community". Community improvement districts [CIDs] are a rebrand of the business improvement districts first dreamt up for this State by former planning Minister Rob Stokes. The first business improvement district in Sydney was the Sydney Western Harbour Business Improvement District, set up as a three-year trial to create a new form of tripartite governance arrangement between the public and private sectors. That business improvement district has been rebranded as the New Sydney Waterfront Company and features the likes of The Star casino and Crown

Resorts. I could go on about some of the related issues, which have been canvassed before in this place and also quite extensively in *City Hub* by investigative journalist Wendy Bacon.

The former Government's vision for business improvement districts was modelled on business improvement districts in New York and the United Kingdom. As the Minister has already stated, this Labor Government has been just as keen to pursue what was originally the vision of the Coalition Government. A consultation phase on an earlier exposure draft of the bill took place in 2023. It received 25 submissions from stakeholders, including Local Government NSW, which expressed concern regarding things like the loss of autonomy for local councils in this process.

The Government's brief on the current bill claims that it has direct evidence of the healthy appetite for community improvement districts in New South Wales following the establishment of its \$5.25 million CID pilot program in June 2024. The brief extensively talks about the pilot projects—which the Minister also referred to in his second reading speech—including Clarence Valley, Murwillumbah, Muswellbrook, St Marys, YCK Laneways, Randwick Health and Innovation Precinct, Inner West Ale Trail, Walsh Bay Arts Precinct and Haymarket. However, I do not think those pilot projects are what this bill will ultimately achieve. It is all well and good to talk about the pilot projects, but those projects do not have that legislated scheme which takes the powers totally away from the community in developing those proposals.

The bill puts forward a proposal to ensure that a mandatory levy is imposed on businesses, which the pilot projects do not have. Those wonderful little grants for those wonderful projects have improved public space, provided art installations and brought the community and businesses together. I have spoken with our local councillors in some of the areas where those pilot projects have been implemented and, yes, they are fantastic. What local council would not want a grant of however many hundreds of thousands of dollars to bring businesses, the community and local council together to beautify their local community? It is a no-brainer that there would be good feedback about those projects.

Let us be clear: Those pilot projects are happening. When I asked the Minister why this legislation was needed, the response was that they have been a struggle and we need to put in place legislation to better assist those schemes to happen. I know that it is not as simple as that. Importantly, in her second reading speech in the other place, Minister Aitchison stated:

... a CID is a model of urban governance. This model empowers a group of local businesses to elect to form an entity. This entity will then develop a proposal to provide services, activities and projects within a defined geographic area.

It is quite extraordinary that the Opposition is supporting a bill that the Government has put forward to establish a new model of urban governance and we are not sending it to an inquiry at the very least. The Government has put forward lovely little projects for art installations that have been supported in the local community as though that is all that is happening. It is not all that is happening. The Minister in the other place also said:

The proposal is voted on by relevant stakeholders and, if successful, a levy is raised to fund the proposal.

It is not voted on by all relevant stakeholders. The community in the improvement district is very much a relevant stakeholder, but they do not get a vote. And let's be clear: The levy is ultimately mandatory. I acknowledge the amendments that were moved in the other place that we were also considering moving around financial hardship. While The Greens do not support the bill, are pleased to see that some effort has been made to improve the bill slightly.

As the Hon. Natalie Ward explored, the bill vests wideranging powers in Transport for NSW as the authority under the new Act to do things like overseeing the establishment and operation of community improvement districts, including the conduct of ballots and the imposition, collection and distribution of levies. Part 3 of the bill deals with how CID proposals would be assessed, managed and approved, including community consultation and the role of council in approving a community improvement district proposal. I have already noted the amendments that make that a little bit better, including to make community consultation reports public.

The bill also provides for the authority to conduct a ballot of business and landowners to ascertain if a CID proposal put forward is supported, with provision made for the involvement of the NSW Electoral Commission to conduct a proposal ballot on the authority's behalf. I suppose that is pretty good, because I am not sure Transport for NSW has any experience in this. A community improvement district proposal is supported if a majority of business landowners and two-thirds of businesses are in favour, with a voter turnout of 25 per cent of enrolled community improvement district businesses. That is just 25 per cent, which is whittling it right down, really.

Voting is not compulsory. Therefore, a minority of property owners could, in theory, impose levies on an entire district. At this point, I put on record how fantastic it is to see the Coalition supporting a bill to impose new taxes on businesses. That is absolutely fantastic. What is going on? Honestly, the world is very topsy turvy. First, there is Trump and now the New South Wales Liberals want to put taxes on small businesses. As I have already

mentioned, voting could be skewed to a small minority of business interests because neither owners of residential land and community facilities nor local residents have a vote. Again, it is quite extraordinary that the community does not get a vote on a community improvement proposal.

However, once a CID proposal is supported, the authority must send a copy of the proposal and a report on the ballot to each local council whose area is within the boundaries of the CID, with a request that the local council notify the authority as to whether the local council supports the proposal or not. This is a significant change since the exposure draft that councils were very concerned about. Unless all councils support the proposal, the authority must reject the proposal. That is a very good thing. My office met with Local Government NSW representatives to discuss the bill. Another concern they expressed was regarding the time provided for local councils to indicate their support of a proposal or otherwise, and they viewed the initial 30 days as being too short. I note an amendment in the other place has increased that to 60. Again, that is good.

If a proposal is approved, the authority may then impose a levy on land within the CID area to fund the proposal. One problem that The Greens see with the levies is that they can and will be passed on from business landowners to business lessees. This is unlike anything else. Strata levies, for example, are not passed on to renters. I believe it was an Opposition amendment that was passed in the other place that provided for a waiver or reduction of levies in cases of financial hardship, but that will not protect business operators if landowners simply pass the buck. A local business may have voted against the establishment of the CID and its levy, or be completely unaware of it, but still be hit with a large levy. What happens if levies are voted through progressive increases or when businesses can no longer afford them?

Ultimately, the bill fails to implement a truly collaborative approach where business works in partnership with council and local communities, in line with international best practice, and where communities get a genuine say. We should not be fooled by the bill's title, even though I think it is appropriate, because we have seen quite a bit of controversy in recent years and even in recent months regarding certain community improvement districts. One example is in Kansas in the United States, where there has been a proliferation of community improvement districts. Critics are saying they have been overwhelmingly self-serving with poor oversight and limited public scrutiny for such large expenditures. The Kansas City community improvement districts have on a number of occasions failed to file required reports with the city and state or submit budgets or annual reports.

Some critics also accuse community improvement districts of being an admission by local governments that they cannot provide basic services, such as security and clean-up. Perhaps we need to stop shifting the costs of so many services onto local government in the first place. A case study used by the Government in its briefing pack on the bill for parliamentarians is Onehunga, New Zealand. Yet we have found just in the past couple of weeks that many businesses there are unhappy and struggling after their rates increased by up to 30 per cent because of an overall increase in charges from \$410,000 to \$1 million last year to pay for a CCTV network upgrade and other safety and security measures. A number of models of community improvement districts do exist, but none of them appear to be really like what this bill proposes to establish.

Another example from New Zealand is Christchurch City Council's business improvement districts, which involve a partnership with council where the rate is collected by the council, not the transport department, and passed on to the organisation operating the business improvement district program. According to the operating standards for the Christchurch City Council's business improvement districts, a partnership is created between Christchurch City Council, the relevant community board, a business improvement district program operator and the local business community. The standards say that this relationship is "a key element for successful local economic development and enhancing business prosperity".

Critically, mechanisms exist to ensure the involvement of the community via community boards. The community boards provide a framework to work collaboratively with local business to achieve community plan goals and local outcomes, and they are a mechanism to engage with the business sector in a structured and coordinated way. But the bill has no formal mechanism for community involvement if they do not own a business or commercial land. The bill talks about community consultation. The Greens support some amendments to make that a little bit more transparent in terms of producing a report on community consultation. But the bill does not genuinely involve the community. Call it what it is: a business improvement district. That is really what it is. To have changed the name to "community" when it has no formal mechanism to involve the community is incredibly concerning. The Greens cannot support the bill because of that really fundamental principle.

Councils can already partner with businesses on programs to revitalise high streets. Why is this legislation needed if not to take decision-making power away from local government and communities about their local places and spaces? Why is this legislation needed if not to privatise decisions which are currently made by democratically elected representatives in consultation with their constituents? The Greens believe the bill does not meet the values tests of fairness, transparency or democracy, and it radically undermines the role of local councils. For those reasons, The Greens cannot support the bill.

The Hon. JOHN RUDDICK (16:30): The Libertarian Party is highly conflicted by the Community Improvement Districts Bill 2025.

Ms Cate Faehrmann: Why? It is not confusing.

The Hon. JOHN RUDDICK: Your speech, Cate, almost made me want to support the bill. Libertarians are suspicious of powerful centralised government that bosses around from a remote distance. We believe in decentralisation. We believe in transferring power as much as possible to the local level. The bill seeks to empower the local level, so it gets a libertarian tick on that front. The bill also seeks to encourage the growth of local businesses and big businesses, so it gets another tick on that front. I understand that similar models have been trialled in similar jurisdictions around the world with some success, with local businesses collaborating for various reasons on general improvements in the local area. The concern we have, however, is that this levy is a tax. Yes, it will start off small, but taxes are like cancers, and they tend to grow.

The bill requires 65 per cent of local businesses to agree to the creation of a community improvement district [CID] and contribute a compulsory levy. But who would be the 35 per cent who might oppose? It could be, for example, a brand-new business with no cash flow and nothing but a good idea and a tiny amount of capital. It is not going to want to contribute. It could be a more established business that has had a bad patch and is in danger of closure. It will want to preserve every dollar it can. The bill will force it to make a contribution. It could also be a business that gets zero benefit from the fund but still has to contribute.

I accept there are parts of the bill that seek to redress those concerns, but the small business owner will have to go to the bother of proving that they should be exempt. Small business owners never stop thinking about their business. When public servants knock off at about 4.30 p.m. and when employees in the private sector clock off they are thinking about their family or the footy or whatever. But the small business owner never stops thinking about the business. Even when they are asleep, they dream about the business. It is all consuming, so we do not want to impose more paperwork, more taxes and more distractions.

The history of taxes and bureaucracy is that they grow and become onerous with time. The Libertarian Party loves the idea of local businesses that know the local nuances and that come together voluntarily to cooperate and do good things of substance for their collective commercial interests and the community in general. We support the fundamental concept. If it was voluntary, we would support it, but then we would not need the legislation and the State power to enforce it. We oppose coercion, taxes and a nascent bureaucracy that will all grow. We oppose the bill.

The Hon. JEREMY BUCKINGHAM (16:33): On behalf of the Legalise Cannabis Party, and I think the people of New South Wales, I contribute to debate on the Community Improvement Districts Bill 2025 to oppose the bill. This is an ill thought out, woolly, undemocratic, unrepresentative bill that is going to lead to an incredible amount of concern in the community. I think the bill is a massive corruption risk and has not been socialised at all. How many people in the community know that the Government is bringing in this bill right now and what it means? How many people in this room knew that the Government was bringing in this bill and know what it means? I think the answer is almost none. I had no idea this was coming.

It really is not a community improvement districts [CID] bill. It is not really a business improvement districts bill. It is a quango improvement districts bill. It is a quintessential quango's picnic of a semi-autonomous government agency being set up to replace local government. That is exactly what it is. Look up what quangos are, and this is what it is. Paul Keating hated quangos. I hate quangos. This is a quango picnic. No-one knows this is coming. It will be a massive tax imposed for self-interest. No business out there is going to do something out of the goodness of its heart. There is only ever one horse in the race, and that is self-interest. It is going to be doing something that is in its benefit and will impose a levy on other businesses and landholders to that effect. What other functions does the bill have? I turn to the objects, which are:

... to provide for the establishment and operation of community improvement districts to stimulate economic growth and community development ...

Who does not want to do that? What does all that mean? What is not that? The next object is:

... to facilitate and assist in the delivery of services, projects and activities ...

How woolly is that? "Services, projects and activities"—that is everything under the sun. That is the biggest catch-all we will ever see. It completely undermines local government. The way it is going to undermine local government is these CIDs will come together with a proposal—"Have we got a deal for you." The dodgy brothers will turn up with the council and say, "We're going to spend \$40 million redoing the mall"—or some other infrastructure proposal—"It's great for us, great for the community," and then pressure the council to say no to a great big bucket of money. Another thing Paul Keating said was to never get between a politician and a bucket of money. That undermines democracy.

The community has no idea this is coming. The example that was given in our briefing was the Inner West Ale Trail. Come on! If that is the example and the scale, that is ridiculous. This will be much bigger than that. This will be a much bigger scale than ale trails, and lots of businesses are going to be caught by this. The first they are really going to know about it, because they are busy running their businesses and rely on local government to do this, is some letter that they just go, "What's this? Don't know. Throw it away." Then they are going to get the bill, and then there is going to be uproar when all of a sudden they have—either through their landlord or directly—a bill for a couple of hundred extra dollars a year so they can fund some security cameras two streets away or some street trees two blocks away or a new roundabout or whatever else is a project or an activity or whatever else the quangos will be doing.

We have no idea about the governance of these things. Who is in charge? Who is the authority? Who is going to be in charge of approving them? Then even if people vote against these CIDs, they have it inflicted upon them as well. It is a massive corruption risk. A lot of pressure could come to bear on those opposed to it, either in the community or on councils, to approve a massive new tax on business. I cannot believe that the Liberal Party is supporting the bill. Where are we? The Greens are saying, "Don't tax business."

The Hon. Natalie Ward: Business wants it. Stakeholders have told us they want it.

The Hon. JEREMY BUCKINGHAM: Which businesses told you they wanted it? How many small businesses in this State know what is going on? How many councils know? How many councillors know that this is about to happen? Very few. I do not think the consultation process could be described as thorough, but anyway—reap what you sow. I say pull it back. This is a massive mistake. Once councillors and councils know what is going on and once small businesses get the bill in the mail, they will be knocking on Minister Graham's door saying, "Who did this?"

Again, why is this happening outside of local government? It should clearly be happening within local government. Why is it happening as a community partnership? It is to undermine decision-making about—we do not know what! People might want to build an aerodrome. What is a project or a service? What are community improvement districts going to provide? Private security guards? Are businesses going to decide to put up a whole lot of CCTV and then provide a private security guard service to protect the CBD from vandals? Are they going to pay for graffiti removal? The bill is effectively a catch-all on any human activity and completely undermines local government. Local government should be recognised in the Australian Constitution and funded with a proportion of GST. It should not hand over infrastructure to businesses because all of a sudden some casino or ANZ says, "Have we got a deal for you. We're going to do this. We're going to do that," and uses its enormous political and financial influence to get people on board. Then what happens? People will get dragged along and only after the fact will they discover that some quango in Transport—the authority—has signed off on something they had no idea was coming.

The bill is entirely undemocratic and unnecessary. I think it is a massive mistake. It will create a lawyers' picnic and it is going to end up at ICAC. The bill has enormous corruption and coercion risks. Ballots of business—what could go wrong? Basically one big business can get other businesses to subsidise its projects. It is absolutely shocking. The fact that the bill is not being referred to an inquiry has not been well ventilated. Mark my words, at the next local government conference councillors will be queuing up, saying, "How did this happen? When were we consulted? Who knew?" They will be told by the Government, "You were told. Didn't you read the memo?" Business NSW will say, "We had some consultation, but it wasn't particularly thorough."

A lot of people in our community do not engage in local government decisions because they are from non-English speaking backgrounds. How many people read letters from councils like Inner West Council? They go straight into the recycling bin. Who cares? They are too busy running their businesses. They do not want to have to do this stuff. All of a sudden they will have to get involved in a decision-making process, which will smash them in the hip pocket if it goes the wrong way. It is a dumb idea, I swear. I like Minister Graham. He has heaps of good ideas, but this is not one of them. This is a brain fart from Rob Stokes that should have been put in the bin a long time ago. Everyone is going to say, "I don't know why this is sitting with Transport for NSW." There has been no real answer to that question. I do not know why the Liberal Party is supporting the bill. As I said, we will be dealing with the outcomes of the bill down the track. It will either fail completely or be a disaster in terms of governance, corruption and creating division in the community. People will get dragged kicking and screaming into funding projects that they did not want or need. With that said, I will vote against the proposed amendments from the Opposition and against the bill.

The Hon. BOB NANVA (16:45): I am pleased to speak in support of the Community Improvement Districts Bill 2025. I welcome the opportunities the bill provides for strengthening communities and economies across all regions of New South Wales. Many members have already spoken at length about the benefits community improvement districts [CIDs] can bring to New South Wales. Obviously they include, but are not limited to, vibrant community life, increasing visitation and strengthening local trading environments.

One aspect that has not been covered at any great length is the potential of CIDs for the development of our regions. Following the establishment of the New South Wales Government's \$5.25 million Community Improvement District Pilot Program in June 2024, we now have direct evidence of how CIDs can work in regional New South Wales. Three of the round one pilots are in regional locations—Yamba, Murwillumbah and Muswellbrook. The Murwillumbah District Business Chamber Ltd is leading the Murwillumbah CID pilot. It is investigating a range of local improvements, including streetscape enhancements, safety improvements, and other projects to boost the region's identity as an arts and cultural destination. The enthusiasm with which the Murwillumbah community has approached the CID pilot in their region is proof positive that the policy can be a model for regional communities that are already seeing opportunities for growth and development.

Whether CIDs are formed in an inner-city suburb of Sydney, a local town centre or main street in a regional town, the model is specifically designed to be flexible to cater for a range of scenarios. Regional New South Wales has a rich and thriving visitor economy that is unique and diversified. In the last financial year, regional New South Wales was the most popular destination for visitors across regional Australia. Across that period, regional New South Wales hosted 65.4 million international and domestic visitors, who spent \$26.1 billion in regional locations across our State. Yet there is still a heck of a lot more potential to be unlocked in the tourism, visitor and creative industry economies of regional New South Wales.

The Government and the Minister are committed to raising ambitions for the growth of the New South Wales visitor economy. The State's approach to tourism; this Government's arts, culture and creative industries policy; its night-time economy agenda; and the regulatory environment are now all pulling in the same direction. The focus is not just on bringing people here but also on what they do when they arrive, while encouraging them to come back over and over again. Culturally rich and vibrant communities keep people in New South Wales, but they also bring people here from other areas.

The success of the visitor economy across our regions has proven that they are attractive places to visit, with unique cultures and a diversity of offerings. Yet there is still so much development opportunity and potential that can be leveraged through the community improvement district legislative framework. It is about time we made it easier for regional communities to take the reins of place revitalisation and to have a lead role in steering the future of our State's regions. I commend the bill to the House.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (16:48): In reply: I thank the members who contributed: the Hon. Mark Latham, the Hon. Natalie Ward, Ms Cate Faehrmann, the Hon. John Ruddick, the Hon. Jeremy Buckingham and the Hon. Bob Nanva. I will respond to a number of the key points without going through all the details. I address firstly the question raised by the Hon. Mark Latham of the role of the private sector economy. The challenge, and the problem we are trying to tackle, is for disaggregated small businesses to organise and engage with their councils and engage with the State Government. This is one model to do that. There are strong protections for small business. I thank the Opposition for recognising that change, so that two-thirds of the businesses in the area have to vote for this. The council has a veto.

I put the strong view about the rollout of the model. It simply will not be adopted in many places in the State, but the point is it should exist in some places. We should not ban this approach in New South Wales. It has worked elsewhere. There are business communities calling for this to be implemented, but they cannot use the existing system because it is so complicated. To reassure members, particularly acknowledging the contribution from the Hon. Jeremy Buckingham, we expect this model to be a relatively slow rollout in many places across the State. Let us see how it goes. I can guarantee the House that it will not be large entities all over the State.

On the important question of why the regulatory entity will sit within Transport, I think the shadow Minister captured that well with the history of where this came out of the Cities portfolio originally, recognising former Minister Rob Stokes's interest in this. The Government has taken the view that there are some existing expertise there. Let us work with the bit of government that is working well in this area rather than ship it around. But I acknowledge the view that was put about Transport's place-making role. When we came to government, we moved some of the place-making functions from Transport to Planning. So the point members make is a good one. The Government is aware of it, but we will not be making changes for the sake of change. Again, that is always something we can consider down the track and that is the reason why it sits where it sits.

Dealing with the issue that Ms Cate Faehrmann raised on behalf of The Greens, and I recognise The Greens raised this in the other place as well. Their concern is that it transfers power from councils and communities to business. I absolutely reject that. That is not the vision here. The Government is trying to lift up communities and give councils more power. In doing that, one of the issues we have is businesses working with those groups. We are trying to lift business up as well, by giving them a way to organise themselves together. The Greens are right when they refer to some of the concerns described by Wendy Bacon and others about how this has sometimes worked overseas.

It has not always worked in an Australian way overseas. Sometimes this has been too corporate and at the wrong scale. The Government is definitely aware of that concern and the reason it is building an Australian model here. We are certainly happy to engage in dialogue on that, including at the community engagement points that The Greens raised. I am open to the Chamber taking an interest in that issue over time. I expect over time that will be one of the aspects of this model that will evolve and get strengthened in New South Wales. The truth is, we are very much at the start of this journey.

As to the suggestion that this has come out of the blue and is a surprise, sometimes legislation gets moved through this Parliament quickly—it is sometimes our culture—but this is not that bill. It was subject to a white paper in 2022 and to an exposure draft on the specifics in 2023. This has been subject to an extensive consultation challenge before this bill arrived in the Chamber. So it might have come as a surprise to the member who made that point, but it has not come as a surprise to Local Government NSW or to the many people involved in the consultation and the many business groups. I am sure there are businesses who do not know about it, and the Government will be cautious about that. That is a good point from the member. Sometimes we do go too quickly in New South Wales, but that criticism is wrongly directed at this bill. If the member was not aware of that process, we are certainly happy to provide more information.

The concern about these being big entities is misplaced. I give the example of Auckland, which has already got 51 of these. That gives you some sense: That much smaller city already has 51. I believe they will be small scale in New South Wales. Given the questions, I particularly thank Local Government NSW and the 25 country mayors who engaged in the consultation. To give members some sense of comfort, this is what Local Government NSW said to its members on 26 March 2025. It thanked the Government. It also went on to give thanks to:

... Transport for NSW for the way in which they have consulted with and genuinely listened to councils – and continue to do so. This kind of engagement is exactly what the NSW Government committed to when signing the Intergovernmental Agreement with LGNSW and has resulted in better legislation and better outcomes for communities.

Getting that support, with those protections of Local Government NSW, was a key goal. That has occurred and members should feel confident about that. I have two final points. This is a reform of an existing system. I will directly address the concern that this is a new tax: It is not. This can happen already. It is just very difficult to do and incredibly bureaucratic. The current system, which I ran through and will not do it again, where an entity has to convince the council, have a ballot, go to IPART, get the Minister to sign off—that just does not happen in real life. But it can be done. It has happened in a few places. We are reforming that system. This is not new, so I reject that suggestion all together.

Finally, I return to the point that we are running a pro-council agenda in this area. We want to devolve State powers and influence to councils. The issue in these local areas is that the businesses are not organised enough to engage in that discussion. We need them to get organised. There are other places and other ways they can organise. In some parts of the State—in a small way, in some of these neighbourhoods—this is going to make a big difference and will improve our State, neighbourhood by neighbourhood. That is the view of the Government, and that is why this bill has been introduced. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that this bill be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. I have one sheet of amendments only: sheet c2025-094A with Opposition amendments Nos 1 and 2 on it. I call the Hon. Natalie Ward.

The Hon. NATALIE WARD (16:58): I will try to keep my comments brief because we have other matters to move on to. By way of preliminary context, as outlined in the second reading debate, the Coalition supports the concept of community improvement districts in principle. However, we do have concerns that the bill as drafted lacks the safeguards necessary to protect small business from unfair burden and unintended consequence. Our amendments are constructive, targeted and entirely consistent with the stated objectives of the bill. They aim to make this model more equitable and more responsive to the needs of the small business community. They do not undermine the bill; in our view, they strengthen it. They reflect the lived realities of small business owners and ensure that the community improvement districts framework is fair, inclusive and adaptable. We urge the Government to adopt these amendments in the good faith that they are put forward. In doing so, it will send a clear message that it values the contribution of small business and that this bill is about supporting our small businesses. With that said, I move Opposition amendment No. 1 on sheet c2025-094A:

No. 1 **Waivers and reductions—proportionate benefit**

Page 12, proposed Part 4, Division 3. Insert after line 9—

27A Authority may waive or reduce levy where no proportionate benefit

- (1) The Authority may waive or reduce the levy payable by a landowner if the landowner has demonstrated to the Authority that the landowner would not receive a proportionate benefit by payment of the levy.
Example— An IT business with all its clients in another country may not benefit to a proportionate degree from CID services, projects or activities when compared with a neighbouring retail business.
- (2) If the Authority decides to waive or reduce the levy payable by a person, the Authority must give notice of that decision to the relevant CID entity.
- (3) The Authority must give effect to that decision by—
 - (a) waiving or reducing the levy payable, as the case requires, and
 - (b) writing off the amount that is waived or the amount of the reduction.
- (4) Accrued interest on the levy may be waived or reduced under this section in the same way as the levy.
- (5) Accordingly, a reference in this section to the levy includes a reference to accrued interest on the levy.

This amendment relates to the proportionate benefit of waivers and reductions. The Opposition proposes the insertion of the clause to allow a business that is subject to a community improvement district levy to apply to the Secretary of Transport for NSW for an exemption or a reduced levy payment if the landowner demonstrates that they would not receive a proportionate benefit by payment of that levy. That mechanism is essential. Not all businesses in a community improvement district area will get the same benefit. They will not equally benefit from the activities of what is proposed by the group, and some may be financially vulnerable. Where a business can demonstrate that the levy causes disproportionate hardship, there must be a pathway to relief. Without it, we risk turning a place activation tool into a financial burden for our smallest and most exposed operators. The Opposition sees that as a risk. For example, if a lawyer or accounting business is part of a group that is full of shops and retail, they may not benefit from streetscape lighting or a festival. No small business should be worse off from the policy, particularly as it is supposed to assist them.

Small businesses are struggling, and any extra impost must be targeted. The Opposition thinks it is an essential element and an important amendment to the legislation. If a business does not get the proportionate return, it would be hard to justify the levy for them. There should be an exemption to ensure that a community improvement district that focuses on the night-time economy does not disproportionately affect a business that has no interest in that because it is a daytime business. There are countless examples of where that might arise. It is a well-placed, deep and true concern of the small business community. That is why the Opposition calls for the amendment to provide for a waiver that is measured and reasonable. I commend the amendment to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (17:01): Firstly, I thank the Opposition for the amendments it has moved. The Government accepted Opposition amendments in the other place. Wherever the Government could accept amendments to the bill, it did. Those amendments have improved the bill. The Government did not accept amendments where the advice from the agency was that they would cause additional complications and would mean the scheme could not work. This amendment has reached that threshold, which is why the Government will not support it. I will speak to the second amendment shortly.

While on the face of it, I would have liked to have accept the principle, members can understand why putting this proportionality principle in the bill would lead to endless second-guessing by small businesses in the areas. There would be endless questions to the regulatory authority about having it applied. The Government agreed to a hardship provision along the same lines. The Government believes that will perform the role that the Opposition is seeking. That hardship provision improved the bill. I thank the Opposition for it. The Government happily accepted it. This amendment is duplicate but is going to cause much more confusion as the scheme rolls out. For those reasons, the Government opposes the amendment.

Ms CATE FAEHRMANN (17:03): I speak on behalf of The Greens to oppose the amendment. From the outset, I say that The Greens were hoping to send the bill to a committee. We supported the way in which the bill was amended in the lower House. Looking at how the amendment would be applied in practice, I can see a situation where almost every business owner who is potentially subject to a levy would try to demonstrate that they are only receiving 80 per cent of the benefit. Another business owner will say that they are receiving 30 per cent and be doing everything they can to reduce what they are paying. It would be a nightmare to

administer. For that reason, and many others, The Greens do not support the amendment. The Greens will also not support the other amendment put forward by the Opposition.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendment No. 1 on sheet c2025-094A. The question is that the amendment be agreed to.

The Committee divided.

Ayes17
Noes24
Majority.....7

AYES

Barrett
Carter
Fang (teller)
Farlow
Franklin
Latham

MacDonald
Maclaren-Jones
Merton
Mihailuk
Mitchell
Munro

Overall
Rath (teller)
Ruddick
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly

Faehrmann
Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Lawrence

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

Amendment negated.

The CHAIR (The Hon. Rod Roberts): Before I call the Hon. Natalie Ward, I take this opportunity to acknowledge that our dedicated Chamber attendant, Sam Malfitana, became a grandfather for the first time today.

The Hon. NATALIE WARD (17:12): I move Opposition amendment No. 2 on sheet c2025-094A:

No. 2 **Government land**

Page 14, clause 33. Insert after line 6—

- (1A) Despite subsection (1), this Act does apply to government land if the government land is leased on a commercial basis to a person or body that is not the State or the Commonwealth or an agency of the State or the Commonwealth.

This amendment relates to government land and refining the government land exemption. The Opposition proposes narrowing the section 31 exemption for government owned land. At present, all government land is exempt, even when used commercially. The government would not have pay to participate and we view that as inequitable. A private cafe would pay the community improvement district [CID] levy, but a cafe on government land competing for the same customers would not have to pay anything. We propose that only government land used for public purposes like emergency services or schools should remain exempt. Land used commercial purpose should not be exempt. Fairness must be a core principle of any levy system. An example of this issue is the practice in The Rocks in Sydney where much of the land is held by the Government but is rented for commercial purposes. That CID would be unworkable in those circumstances. For those reasons, we commend amendment No. 2 to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (17:14): I indicate the Government's principles on this amendment. We are grateful to the Opposition for its cooperation. We have accepted many Opposition amendments. I specifically thank the shadow Ministers. Their engagement on the bill has been very thoughtful. I am not sure who drafted this amendment, but we have big concerns about it. This Government will encourage State agencies to participate in and support the community improvement districts. This amendment, if left to its own devices, would allow local businesses to start charging local councils the levy. We can imagine how that would go. That is the advice to the Government. This amendment would set off 128 wildfires across the State. The advice to the Government is that the amendment appears to mean that a council leasing office space, for

example, to an economic development authority run by the council would be subject to the levy. This amendment is a recipe for chaos. That is why the Government will not support it.

Ms CATE FAEHRMANN (17:15): The Opposition amendment is another recipe for disaster. We have been approached by Local Government NSW and a number of other stakeholders who are very concerned about these last-minute amendments. Let us remember that the bill will essentially allow businesses to tax other businesses. It is not appropriate for a business to tax a public agency or a government body. Local Government NSW has said that it owns significant landholdings that may be leased for a range of purposes. The amendment would be an absolute disaster. The Greens do not support it.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved amendment No. 2 on Opposition sheet c2025-094A. The question is that the amendment be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes14
Noes26
Majority.....12

AYES

Barrett
Carter
Fang (teller)
Farlow
Franklin

MacDonald
Maclaren-Jones
Merton
Mitchell
Munro

Overall
Rath (teller)
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Latham
Lawrence
Martin

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

Amendment negatived.

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

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

That the Chair do now leave the chair and report the bill to the House without amendment.

Motion agreed to.

Adoption of Report

The Hon. JOHN GRAHAM: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

*Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS**

The Hon. PENNY SHARPE: I move:

That standing and sessional orders be suspended to allow private members' business item No. 1648 relating to the Abortion Law Reform Amendment (Health Care Access) Bill 2025 to be called on forthwith.

Motion agreed to.

*Bills***ABORTION LAW REFORM AMENDMENT (HEALTH CARE ACCESS) BILL 2025****In Committee**

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. There are four sheets of amendments: sheet c2025-077A of the Shooters, Fishers and Farmers Party; sheet c2025-078A of the Shooters, Fishers and Farmers Party; sheet c2025-079D standing in the name of the Hon. Penny Sharpe as a member and not on behalf of the Government; and sheet c2025-090C of the Libertarian Party. We will start with the first amendment on running sheet, which is Shooters, Fishers and Farmers amendment No. 1 on sheet c2025-077A. I call the Hon. Robert Borsak.

The Hon. ROBERT BORSAK (17:27): I actually envisioned that I might move amendments Nos 1 and 2 together.

The CHAIR (The Hon. Rod Roberts): That is a good way to proceed. I invite the member to move amendments Nos 1 and 2 on sheet c2025-077A.

The Hon. ROBERT BORSAK: By leave: I move Shooters, Fishers and Farmers Party amendments Nos 1 and 2 on sheet c2025-077A in globo:

No. 1 Duty to provide abortion services

Page 2, clause 2, lines 5–8. Omit all words on the lines. Insert instead—

This Act commences on the date of assent to this Act.

No. 2 Duty to provide abortion services

Page 3, Schedule 1[1] and [2], lines 3–22. Omit all words on the lines.

The amendments change the bill's commencement date to be immediate upon assent. If the bill passes, let us not delay things for a year. Whether our amendments are included or not, the public and health professionals deserve immediate clarity, not a 12-month waiting game. We speculate about why a delay is needed at all. To say it is to allow time for resources to be allocated is disingenuous, as this would be automatically applied anyhow. Simply put, it is probably trying to shift this closer to the next election, in an effort to enhance what is already a lacklustre Greens party, on the nose with the electorate that is sick and tired of the party's extreme agenda that is not even Green anymore, but Marxist.

Dr AMANDA COHN (17:29): These amendments together do not just change the commencement date; they remove the duty to provide abortion services within the public health system and, of course, the consequential amendment to remove the delayed commencement of the duty. I will start by responding to the comments of the mover of the amendment. If the bill, including the duty on the public health system to provide abortion services, is passed, delayed commencement is absolutely essential. It would not be fair for the Minister or the Secretary of NSW Health, any local health district or any hospital to be suddenly caught in breach of a new legislative provision without the chance to actually prepare for it. The 12-month delay was deliberately and carefully included to allow them the necessary time to prepare for a new legislative arrangement. We all know the significant strain that the health system is already under.

Regarding the amendment to remove the provision for public hospitals altogether, I would say that one of the serious problems that this bill was introduced to address is that public hospitals are not routinely and consistently providing abortion services. There was significant media coverage of Orange and Queanbeyan hospitals, where brave patients and health workers were willing to speak with the ABC. Without this component of the bill, there would be no change to business as usual at public hospitals. The Government has allocated a small amount of funding to address access issues. Of course, that is welcome. But it is tinkering around the edges of an enormous problem. I again call on the Government to actually fund public abortion services. The Minister for Health has done important work in intervening in those individual circumstances. I again commend him for that. But I know that the problem is bigger than the cases of Orange and Queanbeyan. We should not wait until more brave whistleblowers go to the media about the next public hospital.

Primary care and non-government providers including Family Planning and Clinic 66 and many others do outstanding work. But they cannot be the only solution to access for a legal health procedure. The Premier in question time last year recognised the important role of public hospitals in abortion provision and promised that this is fully funded and that services will be available. I hope that the Premier is listening to this debate. I know that at least the Treasurer is. I ask him to keep that promise and fund the services we need through the public system.

I have been open and willing to work on alternatives with members who have taken issue with the particular wording or drafting of this part of the bill. It is disappointing that we have not been able to reach agreement on an alternative for this. Without this part of the bill, the future of public abortion service provision in this State would be left to the personal ideology of future health Ministers. Minister Park and Minister Hazzard before him have been reliable allies for reproductive choice. But that may not be always the case with future Ministers. The Parliament should safeguard access, which is essential for choice to really exist in New South Wales.

The Hon. DAMIEN TUDEHOPE (17:32): In my contribution to the second reading debate, I indicated why this requirement being legislated was unacceptable. Generally, to bind a Minister to provide particular health services would be an aberration from the Minister's duties in considering the delivery of health services throughout the State. A Minister would not be obliged to provide any other health service. And, in those circumstances, a Minister should never be obliged in this case. The review of the Act concluded that there was no legislative response to the issue that the member is seeking to explore by this legislative change. However, there may be opportunities for consideration of education and the like. But there was no requirement for a legislative response. This amendment reflects the advice of the review committee. The first amendment, for the provision to commence immediately, would fall away if the second amendment were agreed to. I do not know whether the mover accepts that.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:34): I support these amendments for many of the reasons that have already been outlined here. I understand that Dr Amanda Cohn is trying to deal with access issues here. We realise that there are issues for women. But legislating this will not fix the problem. We do not legislate to require health Ministers to provide cancer services or heart services in this way. I understand the member. This is an approach you could take. It is not one I support. The issue of access is real. NSW Health has undertaken work on pathways for women, particularly in regional areas, so that they can get the access they need. But I support these amendments because I think they are a better way of dealing with it. What Dr Amanda Cohn is trying to fix will not be fixed by her proposal. I support the amendments of the Hon. Robert Borsak.

The Hon. GREG DONNELLY (17:36): I make a contribution. Subject to the will of the House, I will be making contributions on further matters as we move through this debate. But I place on the record up-front that I will keep my comments brief because last night during the second reading debate I gave an extensive speech, which went for almost the full 20 minutes. In that speech, I outlined the intentions of the four key elements, as I described them, of Dr Amanda Cohn's bill and why I do not accept them. They are all on the record in my speech, in *Hansard*. So there is no point in going back and simply reading my speech again. I do not want to be seen to be short-changing my strength of conviction about what I said last night and not transferring that into this evening's debate, but I do not think it makes sense to simply reread what I said last night, except if there is an occasional point on which I want to make comment as we work through the amendments. On this particular one, there is not. What I said last night adequately and comprehensively covers my position. I support the amendments moved by the Hon. Robert Borsak.

The Hon. SCOTT BARRETT (17:37): This is a tricky one for me. In looking at these amendments, I am removing the ethics or otherwise around abortion. I am looking at this as a health service and at whether that should be provided within a reasonable distance of someone's home. On the surface, that seems quite fair to me and we should be supporting that. The argument that we have no other health services that come under this same rule carries weight, but should not all health services come under the rule that they should be within a reasonable distance of someone's home? This may be the start of it. But there may be another opportunity to look at it, more broadly, that all health services should be provided within a reasonable distance of someone's home. What that reasonable distance is would differ, based on what that health service was.

I cannot help but think, though, that Orange is at a reasonable distance from most people's homes to have this service provided. That is certainly sitting on my mind as I listen to this debate and agonise over which way I will go when the division comes on. But I need to make clear that this is not an abortion issue for me. This is a health service issue for me. A health service should be provided within a reasonable distance of someone's home. There was debate about what a "reasonable distance" means. I am certainly not as familiar as other members are with legislative wording, but I am familiar with the Biosecurity Act, which talks about things being "reasonably

practicable". That sort of language is not foreign. While it is tricky, the aspiration of providing this service or any health service within a reasonable distance to someone's home should be pursued.

The Hon. CAMERON MURPHY (17:39): My view is very simple. Health care is a human right that should be available to everybody everywhere. That is what the bill does. The amendments seek to remove that. That is why I oppose the amendments and support the bill.

The Hon. EMILY SUVAAL (17:40): I support the amendments and acknowledge the contributions that members have made. The bill, as written, requires health services to be administered in certain hospitals, which is impractical and will have unintended consequences. That is not to say that, as a health professional, I do not aspire to the idea—as the Hon. Scott Barrett said—that all people across New South Wales should be able to access all health services within a reasonable distance of their home, but a reasonable distance is not defined in the bill. That is another issue. Is a reasonable distance five minutes, five kilometres or 120 kilometres? A wide variety of health services are provided across New South Wales. The health services in my community includes the local ED in Cessnock, which is currently run by GPs.

They do not have a paediatrician or an anaesthetist, which is fine. But to have legislation prescribe what services ought to be provided would have unintended consequences on the flexibility that health services across the State need to manage demand and cases when we have a scarcity of resources. I return to the point that I would love after-hours anaesthetic cover at every hospital and multi-purpose service across the State, but that is just not going to happen. We can train up some of our GPs in some of those advanced skills but, like it or not, we do not have enough anaesthetists in this State. We have a scarcity of resources and a finite budget in our health system. It is the responsibility of the Executive Government to manage those finite resources. That is the reason I support the amendments moved by the Hon. Robert Borsak.

The Hon. JACQUI MUNRO (17:42): I support the Shooters, Fishers and Farmers Party amendments Nos 1 and 2 moved by the Hon. Robert Borsak. I want to make clear that if the bill is passed with amendments, the Government must be careful to ensure that information about access to abortion services is made publicly available. Even though I support these amendments, I believe information about access to abortion services should be readily provided. The Government should be dedicated to improving access to, and the quality of, information that women can access. We know that will ensure better equity of and safety in the services that women can access around the State.

The Hon. STEPHEN LAWRENCE (17:43): I contribute briefly to debate on the amendment. I support the amendment on the basis that I do not think it is appropriate in the circumstances to insert a statutory duty to provide abortion services throughout the State. I am sympathetic to the comment made by the Hon. Cameron Murphy about human rights. Often it is appropriate to impose statutory duties. The idea of a statutory or constitutional duty to health care is not completely alien to the law. Indeed, South Africa and lots of other jurisdictions have constitutional rights to health care as well as to a range of other economic, social and cultural rights.

If we were to go down the track of statutory or constitutional duties to provide health care, it is better if that occurred as part of a broader framework so that we can tap into international frameworks and standards. That would be the appropriate way to move forward, rather than in a piecemeal way in respect of a particular health service—if one is to call it a health service. It could be called something else; it is in a unique category. But I do not think it is appropriate for members to single out a particular type of health service and impose that statutory duty. I think that is a piecemeal approach.

The Hon. ROBERT BORSAK (17:45): The Greens are pushing to force the Minister to ensure that abortion services are available everywhere in the State. That legal mandate could stretch already under-resourced local and regional health services even thinner. These amendments propose to strike the section entirely. Supporting access does not mean placing unrealistic burdens on local providers or bureaucrats trying to tick legal boxes. If the bill gets up with this section intact, it will provide an unrealistic expectation of services that the Government cannot afford or realistically implement in time.

The CHAIR (The Hon. Rod Roberts): Before I put the question, I will outline where we are up to so that members can follow the proceedings. If Shooters, Fishers and Farmers Party amendment No. 1 on sheet c2025-077A is successful, Libertarian Party amendment No. 1 on sheet c2025-090C will lapse. If Shooters, Fishers and Farmers Party amendment No. 2 on sheet c2025-077A is successful, Libertarian Party amendment No. 2 on sheet c2025-090C and Shooters, Fishers and Farmers Party amendment No. 1 on sheet c2025-078A will lapse.

The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendments Nos 1 and 2 on sheet c2025-077A. The question is that the amendments be agreed to.

The Committee divided.

Ayes28
 Noes11
 Majority.....17

AYES

Banasiak (teller)	Latham	Nanva
Borsak (teller)	Lawrence	Overall
Buttigieg	MacDonald	Primrose
Carter	Maclaren-Jones	Rath
Donnelly	Martin	Ruddick
Fang	Merton	Sharpe
Farlow	Mitchell	Suvaal
Franklin	Moriarty	Tudehope
Graham	Munro	Ward
Houssos		

NOES

Barrett	D'Adam	Jackson
Boyd (teller)	Faehrmann	Kaine
Buckingham	Higginson	Murphy
Cohn (teller)	Hurst	

Amendments agreed to.**Libertarian Party amendments Nos 1 and 2 on sheet c2025-090C lapsed.****Shooters, Fishers and Farmers Party amendment No. 1 on sheet c2025-078A lapsed.**

The CHAIR (The Hon. Rod Roberts): Before I call the Hon. Robert Borsak, I acknowledge in the President's gallery this evening Councillor Kieran Somerville and Mayor Danielle Mulholland from the Kyogle Council, who are guests of Ms Sue Higginson. They are most welcome here this evening.

The Hon. ROBERT BORSAK (17:57): By leave: I move Shooters, Fishers and Farmers Party amendments Nos 3 and 5 on sheet c2025-077A in globo:

No. 3 Medical terminations up to 9 weeks

Page 3, Schedule 1[4], lines 26–28. Omit all words on the lines. Insert instead—

[4] Section 5(1A)

Insert after section 5(1)—

- (1A) A person who is a prescribed health practitioner may perform a medical termination on a person who is not more than—
- (a) 9 weeks pregnant, or
 - (b) if the Therapeutic Goods Administration amends restrictions on MS-2 Step (Mifepristone and Misoprostol) to enable the prescription of MS-2 Step for a medical termination on a person who is not more than 10 weeks pregnant—10 weeks pregnant.

[4A] Section 5(2)

Omit "medical practitioner" wherever occurring.

Insert instead "prescribed health practitioner".

No. 5 Medical terminations up to 9 weeks

Page 3, Schedule 1[5], proposed section 5(4). Insert after line 39—

medical termination means a termination caused by a termination drug.

While I personally have strong reservations, amendment No. 3 still allows nurse practitioners and endorsed midwives to prescribe abortion pills up to nine weeks to align with current Therapeutic Goods Administration guidelines in other States like Queensland, Western Australia and the Australian Capital Territory. It keeps New South Wales in step nationally, but we draw a clear line at nine weeks. Beyond that, higher safeguards are needed. Amendment No. 5 is about clear definitions and clarity, explicitly defining a "medical termination" as

one involving a drug. If a pregnancy that is beyond nine weeks requires a surgical abortion, which is a more serious procedure, it must be treated as such. They should therefore only be allowed to be performed by properly qualified medical professionals.

Dr AMANDA COHN (17:59): The Greens oppose the amendments. One reason we are in this situation where, six years after its passage, the abortion law reform bill now has to be updated is that it was very specific in its wording and meant that when the Therapeutic Goods Administration changed its regulation of MS-2 Step in 2023 we were not able to change practice in New South Wales. We had limiting wording in our legislation that meant that other States and Territories could keep up with the TGA and we could not. It is too specific to go in legislation. The scope of practice of registered health professionals is significantly regulated in other legislation. By being so specific and naming particular medications and particular gestation in our legislation, it will very quickly become out of date. I believe it is not appropriate for legislation to be so specific.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:00): I alert the Committee that I have amendments coming up next. I do not want to move them now, but if I can speak about them now it might help so we are talking about them at the same time.

Dr Amanda Cohn: Do I get to speak again if that happens?

The Hon. PENNY SHARPE: Yes, you will be able to speak again. I think there is a general agreement with the amendments. No-one is suggesting for a minute that nurse practitioners or others should be outside their scope of practice or outside the Therapeutic Goods Administration guidelines. The difference is that the Hon. Robert Borsak's amendments insert specifically nine weeks into the legislation, whereas my amendments say that nurse practitioners are not to operate outside their scope and they are to operate within the TGA guidelines. That means if the TGA guidelines change in the future, we do not have to keep coming back to keep up. There is not a fundamental disagreement around what we are actually trying to achieve with the amendments. No-one is suggesting that nurse practitioners would operate outside their scope of practice or that they would perform surgical terminations or doing that late. There is just a difference in point of view. I will not support the Hon. Robert Borsak's amendments because I believe my amendments deal with the issue in a more flexible way but achieve the same outcome.

The Hon. SUSAN CARTER (18:02): I will talk to both sets of amendments if that is acceptable to the Committee. I accept the spirit of this, and I am glad to see that there is general agreement because I think the way that this was originally drafted would have allowed nurse practitioners and endorsed midwives to perform abortions up to 22 weeks. Even if that was not the intention of the legislation, that was the way it was drafted, and I think it is entirely appropriate that be tightened up now. The two sets of amendments are very similar. I express a preference for the amendments moved by the Hon. Robert Borsak.

My concern about the amendments foreshadowed by the Hon. Penny Sharpe is that what they are really doing is abrogating the responsibility of this Parliament as the legislative body to an executive arm to say basically that whatever is said in the Therapeutic Goods Administration is what will become the law. I do not see in the Hon. Penny Sharpe's amendments—and I am open to being corrected on this—any mechanism whereby whatever the TGA decides would be brought to the attention of this Chamber. I do not see any amendment for legislative supervision for something as fundamentally important as women's health. These are really important issues that we are dealing with, which is why when the 2019 bill was crafted, as I understand it, it was a very careful balancing of regulation of abortion and protection of all parties who are involved.

I think the appropriate amendments are the ones that look at what the current TGA advice is now and makes sure that TGA advice can be implemented. I also flag that the science is changing. Members would be aware of the very large study that was published on 28 April of close to 900,000 women that indicated a significantly higher serious adverse event rate from medical abortion than had previously been understood and the calls on the Food and Drug Administration to reconsider the protocols that are in place in America. I hope the TGA will look at that research, because this is not an area where we want to take chances with women's safety. We have to do what is appropriate. For that reason, I will support the Hon. Robert Borsak's amendments.

Dr AMANDA COHN (18:05): I appreciate the opportunity to speak again because we are now dealing with both sets of amendments together. I indicate that The Greens will support the amendments that will be moved by the Hon. Penny Sharpe. The amendments clarifies that the bill does not impinge on the way that health practitioner professional standards are regulated, including the Poisons and Therapeutic Goods Act and the Medicines, Poisons and Therapeutic Goods Act. The Greens support this additional clarity to the way that the bill would operate in practice.

I understand that if one reads the Abortion Law Reform Act and this bill in isolation, without the context of the way that registered health practitioners are regulated in New South Wales and indeed in other jurisdictions, it looks like nurses and midwives would suddenly be able to perform surgical abortion up to 22 weeks gestation, and that is just plainly not true. There is significant existing regulation, and registered health practitioners can be appropriately prosecuted by the Health Care Complaints Commission for practising outside their scope. The amendments foreshadowed by the Hon. Penny Sharpe make that explicitly clear, and we welcome that.

Finally, I respond to the comments from the Hon. Susan Carter about the safety profile of MS-2 Step. This has been really thoroughly established in Australia, especially because New South Wales is behind the eight ball on this issue. Other Australian jurisdictions were able to make changes immediately after the Therapeutic Goods Administration regulation changed in 2023. We now have two years worth of data from other Australian States and Territories demonstrating that MS-2 Step medication is very safe and it is very effective. Some of the leading peer reviewed research in Australia on this subject was actually conducted in Albury-Wodonga by my former student Dr Sara Lai. For those reasons, we will support the Hon. Penny Sharpe's amendments and not the Shooters, Fishers and Farmers Party amendments.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:07): By leave: I move my amendments Nos 1 to 3 on sheet c2025-079D in globo:

No. 1 Obligations and duties of prescribed health practitioners

Page 3, Schedule 1[5]. Insert after line 39—

(5) Nothing in this section—

- (a) permits a prescribed health practitioner to act outside the practitioner's scope of practice, or
- (b) affects a prescribed health practitioner's obligation to practice consistently with the practitioner's relevant professional standards, or
- (c) affects the operation of the *Poisons and Therapeutic Goods Act 1966*, the *Medicines, Poisons and Therapeutic Goods Act 2022* or any other law governing a prescribed health practitioner's practice.

No. 2 Consequential amendments

Page 4, Schedule 1. Insert after line 13—

[10A] Section 14 Guidelines about performance of terminations

Omit "medical practitioner" from section 14(2)(b).

Insert instead "registered health practitioner".

No. 3 Consequential amendments

Page 4, Schedule 1. Insert after line 13—

[11A] Dictionary

Omit "medical practitioner" from the definition of informed consent wherever occurring.

Insert instead "registered health practitioner".

I respond to what the Hon. Susan Carter said. I had not thought about it this way. My understanding of the science in relation to the Therapeutic Goods Administration guidelines is that MS-2 Step is safe and needs to be carefully managed. If we insert nine weeks into the bill and if the TGA tightened up the guidelines, it would mean we would be allowing practitioners to operate outside the guidelines at nine weeks if the TGA says it went to eight weeks at another point. I am not trying to be smart about it. When the Hon. Susan Carter put it that way, it made me think that this is why the bill has to give the flexibility that everybody has to stick to the guidelines and we trust the science in relation to that. The other point I make is that every other registered practitioner has to operate within the guidelines.

The Hon. EMILY SUVAAL (18:08): I will support the amendments put forward by my colleague the Hon. Penny Sharpe, but I will not support the Shooters, Fishers and Farmers Party amendments Nos 3 and 5. I will now attempt to outline the reasons. Following on from what the Hon. Penny Sharpe mentioned about having clear prescriptions in this legislation, amendment No. 1 will in effect limit the flexibility of what can be applied. There are valid reasons for which nurse practitioners would not be able to prescribe this medication for people who are less than nine weeks pregnant and have other complicating factors that may require them to be referred on to a more specialist doctor, such as people who have a history of clotting.

There are a load of reasons why including specific information in amendment No. 1 would pose problems for health practitioners. Health practitioners operate under a scope of practice, about which very clear information is publicly available on the Australian Health Practitioner Regulation Agency website. There is a framework that

all nurses and midwives must follow when making decisions around a patient's care. Health care is a highly regulated industry, so tightening up the legislation by making it clear that nothing would allow a nurse or a midwife to operate outside their scope should alleviate some of the concerns around surgical terminations that the Hon. Robert Borsak raised. Obviously, no nurse practitioner would operate outside their scope and perform a surgical abortion. That is clear to me as a nurse. It may not be clear to everyone, but surgical terminations are well outside a nurse practitioner's scope. Amendment No. 1 will clarify that in the legislation.

Specifying the names of medications or a particular gestation would not provide the appropriate amount of flexibility, particularly when, as the Hon. Penny Sharpe elucidated, there may be changes to the Therapeutic Goods Administration guidelines around MS-2 Step that put it in conflict with the proposed legislation. Allowing nurse practitioners and endorsed midwives to prescribe and supply medication inducing early term medical abortion is also in line with the recommendations of the statutory review of the Abortion Law Reform Act. For those reasons, I will support the Hon. Penny Sharpe's amendments.

The Hon. STEPHEN LAWRENCE (18:11): In terms of the suggestion by the Hon. Penny Sharpe that in the event the Therapeutic Goods Administration guidelines reduce the time period from nine weeks there might therefore be a conflict or a problem if the Hon. Robert Borsak's amendment No. 3 is passed, I do not see that as an issue because presumably the TGA guidelines and professional practice regulation would mean that those sorts of abortions would not occur because they would not be within the scope of practice. I do not necessarily see an inconsistency between how the two amendments sit together.

The Hon. Penny Sharpe's amendment No. 1 seems to be much broader and provides that practitioners must be within their scope of practice. This is certainly not my area of expertise, but I assume a whole range of matters are covered in subparagraphs (b) and (c). I intend to vote for both sets of amendments because I do not see the restriction in the Hon. Robert Borsak's amendment No. 3 as inconsistent. Even if there were an inconsistency, I would be confident that a court would hold that specific overrides general and that both would be given a proper operation.

The Hon. DAMIEN TUDEHOPE (18:13): I start my comments by saying that I think medical abortions in this manner can never be supported in any event. I made that very clear yesterday. Even if these amendments are successful, I will vote against the third reading of the bill. To allow anyone to terminate a pregnancy in this manner is, in my view, wrong and unacceptable. However, I accept what the Hon. Stephen Lawrence just said. There is not too much difference between the two provisions and they are both capable of being supported in the sense that they are a clearer articulation of the responsibility of nurse practitioners.

One interpretation of the way the bill was initially drafted could potentially give a nurse practitioner the opportunity to participate in a surgical abortion or administer a medical abortion up to 22 weeks. I know the proponent of the bill does not accept that interpretation. However, the mere fact that there is some ambiguity about the way the bill has been drafted gives rise to a requirement that it be amended to reflect what I think the proponent intended. To the extent that both of these amendments on their face appear to give effect to what the mover of the bill intended, then I think either of them is capable of being supported. I will potentially be supporting the Hon. Robert Borsak's amendments when the question is put. However, under no circumstances should support for clarification of a bill ever be interpreted as supporting the actual provision. I will vote against the actual provision, even if it is amended, on the third reading.

The Hon. GREG DONNELLY (18:15): With respect to the amendments that the Committee is dealing with—we now have a number in play, if I can describe it that way—I share the desire to put a caveat on what I am about to say. I lay out that my position on termination, or abortion, is that I consider it always abhorrent and always involving the death of a human being, so I cannot in good conscience or in any circumstances support it. My comments about the issue of the alternatives in play to nine or 10 weeks are in the context of the Hon. Robert Borsak's position in his amendment and the Hon. Penny Sharpe's position. This is a case of expressing my position on these amendments, because I think that has to be done. I do not want to sit and not comment on them, but I also do not want my participation in this part of the debate to be in any way an endorsement of the utilisation of what are basically pharmaceuticals—synthetic hormones—to facilitate the end of a life via a medical termination.

With respect to what I have just said, my position can be tied directly to the issue of proposing to extend the categories of those able to undertake, prescribe, supervise or supply the pharmaceuticals for a pregnancy termination to nurse practitioners, endorsed midwives and a further category. Obviously doctors are the first category, or what we might colloquially call "person trained with a medical qualification", but there is an interesting fourth category that I will describe as "others" who are endorsed and provided for via regulation by the government of the day in the bill. I will explain why the two are linked, and I understand that this goes to the substance of the bill. With respect to the issue of saying that the second and third categories are equivalent in expertise to a medically trained doctor when prescribing, issuing or supervising a medical pregnancy, I do not

accept the position that if a medical termination is to take place, we should accept that it is overseen by a practitioner below a doctor.

There are some significant questions—I will come to this in further detail later in the debate—about the pharmaceuticals used, the synthetic hormones, to precipitate a medical abortion. I know Dr Amanda Cohn feels very strongly about this particular matter. I acknowledge and respect her training as a medical doctor and her qualifications in that regard. That does not mean—and I say this with the greatest respect to her—that what she says is the final word on the issues around medical abortion and, in particular, the issue of the pharmaceuticals associated with it. She has made statements about the safety of such medical procedures that there is—and these are my words, not hers—"nothing to see here" in terms of concerns and that "we can move on". I submit that is not the case. There are issues of concern with respect to medical abortions, such that it ought be, and should only be, a medical doctor who deals with the procedure because of the expertise that he or she has in dealing with the possible consequences of a medical abortion.

As I said, I will deal with this in more detail later on. To the extent that my arguments have some merit—and I believe they do—to simply take the position that these two alternate methods, under the two competing amendments, get to essentially an identical position, quite frankly, does not stack up. That is obviously going to be a contested point. While the position that there should not be the facilitation of medical abortions beyond nine weeks, or 63 days, is clear in the amendment of the Hon. Robert Borsak—with the caveat that it could be, under certain circumstances, increased to 10 weeks—that is not something that I would have put in, with respect, to the amendment. But it is there, and I understand the grounds and reasons for it being there. So while I do not support medical abortions, I do understand and acknowledge the reason the member put that in. It provides a clear ceiling. It sets in the legislation a ceiling of 63 days, or 70 days, for a medical termination. The argument being put by my colleague the Hon. Penny Sharpe is—and I am sure she will respond if I say anything that is not accurate—

The Hon. Penny Sharpe: You bet!

The Hon. GREG DONNELLY: I thought I would just anticipate it anyway.

The Hon. Penny Sharpe: I'm hoping not to.

The Hon. GREG DONNELLY: I have had very open and frank discussions with the member. I do not believe it is a concern. With respect to the position of getting to what is explicitly nine weeks, or 63 days—or, if it did increase to 10 weeks, 70 days—then that would be reached through the provisions contained within her amendment. I do not believe the argument being presented that we ought to oppose the proposition of the Hon. Robert Borsak because we should have "flexibility" and that the capacity to respond to possible "flexibility" is necessary for looking into the future is, quite frankly, valid. I do not think that is the case at all. My understanding—such as it is, being a person with an economics degree, not a medical degree—is that clearly, with respect to medical abortions, the nine weeks, or 63 days, is it. Putting aside whatever views one has regarding pregnancy termination—whether we believe it is right or wrong, whether we support it or do not support it—undertaking a medical abortion beyond nine weeks becomes seriously problematic and moves into an area of serious danger to the woman, to say nothing about the demise of the fetus, and must never be done. That is something that is not done and not countenanced at all.

As legislators we are involved in developing, amending and passing legislation. It is important that women, who make up 51 per cent of the population, should be able to clearly know their rights and if there is a limit on a medical procedure. In the event of some inadvertent consequence of the procedure, such as, dare I say—I am not seeking to inflate this—the terrible tragedy of a death, it should be in the law that the limit has been breached and that a breach is going to have serious consequences. I do not think it is a reasonable proposition to expect members of the public at large—51 per cent of the population—to be somehow comforted by the fact that, to understand the consequences arising from what may be poor practice in the administration of medical abortion, it will be necessary to trace through pieces of legislation, including decisions of the National Health and Medical Research Council, the Therapeutic Goods Administration and other related bodies, which is what the amendment proposes.

I know that the statement has been made and remade, that it gets you to the identical position. I am not an expert to say with any certainty that is not the case, but I am not sure that it is the case. I am certainly not prepared to confirm that I believe it is the case because I am not sure. Women in this State, now and into the future, should be able to know, when they consider undertaking a serious medical procedure, that there is a limit. They should know that limit is in fact a ceiling, which should not be exceeded because there is a thought that "Maybe we can push this a little bit and go beyond the 63 days". People talk about 10 weeks being viable, so maybe take it as 70 days or, indeed, even a bit longer if, for example, there was a sense that "We could try to do this and see how it goes, with fingers crossed". I do not say that it is done lightly in any way, but I have real concerns about going beyond that clearly understood line of 63 days.

I know that people listening will mount arguments that I am jumping at shadows and all the rest of it. Given what I have just said and the serious issues associated with the synthetic pharmaceutical, which is all on the public record—and I say this with the greatest respect to Dr Amanda Cohn—the member has not, in any way, shape or form, referred to matters to do with mortality associated with the use of pharmaceuticals. I feel obliged to err on the side of caution. I will say more later in debate on amendments that relate to the same or similar issues. I conclude by saying that I do not support the practice—that is clear, and I reaffirm that—but to the extent that we are dealing with competing amendments, I am prepared to support the Hon. Robert Borsak's particular language and framing of the ceiling for the reasons that I have outlined.

The Hon. ROBERT BORSAK (18:30): In reply: I have nothing further to add.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendments Nos 3 and 5 on sheet c2025-077A. The question is that the amendments be agreed to.

The Committee divided.

Ayes16
Noes24
Majority.....8

AYES

Banasiak (teller)	Kaine	Merton
Borsak (teller)	Latham	Mihailuk
Carter	Lawrence	Rath
Donnelly	MacDonald	Ruddick
Farlow	Martin	Tudehope
Houssos		

NOES

Barrett	Franklin	Munro
Boyd	Graham	Murphy
Buckingham (teller)	Higginson	Nanva
Buttigieg	Hurst	Overall (teller)
Cohn	Jackson	Primrose
D'Adam	Mitchell	Sharpe
Faehrmann	Mookhey	Suvaal
Fang	Moriarty	Ward

Amendments negatived.

The CHAIR (The Hon. Rod Roberts): I welcome Councillor Mareeta Grundy from the Queanbeyan-Palerang Regional Council as a guest of the Hon. Nichole Overall. She is most welcome this evening.

The Hon. Penny Sharpe has moved her amendments Nos 1 to 3 on sheet c2025-079D. The question is that the amendments be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes35
Noes4
Majority.....31

AYES

Barrett	Graham	Mookhey
Boyd	Higginson	Moriarty
Buckingham	Houssos	Munro
Buttigieg	Hurst	Murphy
Carter	Jackson	Nanva (teller)
Cohn	Kaine	Overall
D'Adam	Latham	Primrose
Donnelly	Lawrence	Rath (teller)

AYES

Faehrmann
Fang
Farlow
Franklin

MacDonald
Martin
Merton
Mitchell

Suvaal
Tudehope
Ward

NOES

Banasiak (teller)
Borsak (teller)

Mihailuk

Ruddick

Amendments agreed to.

The CHAIR (The Hon. Rod Roberts): I shall now leave the chair. The Committee will resume at 7.45 p.m.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak, I draw your attention to the Shooters, Fishers and Farmers Party amendment No. 2 on sheet c2025-078A. Are you moving that?

The Hon. ROBERT BORSAK (19:48): No, I will move the Shooters, Fishers and Farmers Party amendment No. 4 on sheet c2025-077A. I have not done that one yet.

The CHAIR (The Hon. Rod Roberts): There is still an outstanding amendment on the first page of the running sheet. That is why I drew that to your attention.

The Hon. ROBERT BORSAK: I do not think so.

The CHAIR (The Hon. Rod Roberts): Shooters, Fishers and Farmers Party amendment No. 2 on sheet c2025-078A is still outstanding, according to the running sheet.

The Hon. ROBERT BORSAK: I thought that fell away.

The CHAIR (The Hon. Rod Roberts): It is still outstanding.

The Hon. ROBERT BORSAK: I think you are right.

The CHAIR (The Hon. Rod Roberts): If you want it to lapse and not move it, that is fine.

The Hon. ROBERT BORSAK: No, I will not do that.

The CHAIR (The Hon. Rod Roberts): I did not think so.

The Hon. ROBERT BORSAK: I did not have it on my running sheet at that spot. But if you would like me to move it now, I am happy to.

The CHAIR (The Hon. Rod Roberts): I will be guided by you. I will not dictate anything. You can move another amendment but just remember we have to go back to this one.

The Hon. Penny Sharpe: Because the rest of the section has now been removed, we thought that that then meant we did not need to move amendment No. 2 on sheet c2025-078A. But we can deal with the amendment pretty quickly. I will take your advice, Chair.

The CHAIR (The Hon. Rod Roberts): I am taking advice as well. According to what I have here, that amendment is still outstanding. What was taken out was up until line 22. This amendment—amendment No. 2 on sheet c2025-078A—inserts a change after line 22.

Dr Amanda Cohn: It does not make sense though. It is defining something that is not there anymore.

The Hon. Penny Sharpe: You can just withdraw it.

The CHAIR (The Hon. Rod Roberts): You do not even need to withdraw it; you can just not move it. It has not been moved yet.

The Hon. ROBERT BORSAK: Amendment No. 2 defines "reasonable distance".

The CHAIR (The Hon. Rod Roberts): That is what we are talking about. We agree that it does not make sense but it is still on the running sheet and you would be in a position to move it now. But the suggestion is perhaps we just do not move it at all.

The Hon. ROBERT BORSAK: Are you saying it is out of context now because of a previous amendment?

The CHAIR (The Hon. Rod Roberts): Yes.

The Hon. ROBERT BORSAK: Then I withdraw it.

The CHAIR (The Hon. Rod Roberts): You do not need to withdraw it. You just do not need to move it.

The Hon. ROBERT BORSAK: Okay.

The CHAIR (The Hon. Rod Roberts): We will put a line through that one. We will now move to amendment No. 4 on sheet c2025-077A.

The Hon. ROBERT BORSAK: My pages are all mixed up.

The CHAIR (The Hon. Rod Roberts): Just take your time. We are in no hurry. We will just make sure we get it right. Mr Borsak, if it assists you in any way, it is of no consequence to us at the moment what order we take the amendments in because they all stand alone. If you want to move another amendment in the interim, we can deal with that and come back.

The Hon. ROBERT BORSAK: I have them all; I am just making sure I take the amendments in the correct order. The only amendment I have is Shooters, Fishers and Farmers Party amendment No. 4 on sheet c2025-077A.

The Hon. Damien Tudehope: We could do amendment No. 6 on sheet c2025-077A.

The CHAIR (The Hon. Rod Roberts): You can do that, yes. As I said, pick any one you want at the moment and we can always come back.

The Hon. Penny Sharpe: The duty to provide abortion services—that is it amendment No. 4. That is the one we were talking about.

The Hon. ROBERT BORSAK: I am not necessarily sure that I have the right speech, but it does not matter. I move Shooters, Fishers and Farmers Party amendment No. 4 on sheet c2025-077A:

No. 4 Duty to provide abortion services

Page 3, Schedule 1[5], proposed section 5(4), lines 37–39. Omit the following—

practitioner,

(d) another registered health practitioner of a kind prescribed by the regulations.

Insert instead "practitioner."

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (19:57): I support the amendment, which relates to nurse practitioners and endorsed midwives. Dr Amanda Cohn's bill is trying to create a regulation-making power so that additional practitioners would be allowed to prescribe MS-2 Step. I make it clear to the Committee that I support the Hon. Robert Borsak's amendment because I do not support allowing more practitioners to prescribe than the bill currently allows. For example, if the regulation-making power stayed in, it could mean—and this is a hypothetical—that pharmacists might want to provide it. I do not support that. For people who are having early-stage medical terminations, the oversight provided by the expertise of nurse practitioners and endorsed midwives is reasonable. I do not support the ability to further expand that, and that is why I support the Hon. Robert Borsak's amendment.

The Hon. DAMIEN TUDEHOPE (19:58): I endorse the observations made by the Hon. Penny Sharpe in respect of any additional service providers potentially being included as being able to provide MS-2 Step drugs. In fact, one could outline a whole lot of various providers who could potentially be identified by regulation. This will prevent that from happening. The Australian Medical Association has always expressed concern about this drug being able to be prescribed by pharmacists. In the circumstances, it is a reasonable amendment to give certainty to the manner in which medical abortions could be procured.

The Hon. JACQUI MUNRO (19:59): I too support the amendment. I place that on record, because in my contribution to the second reading debate I said that I supported the ability of registered health practitioners, as defined by the bill, to prescribe MS-2 Step. But I am persuaded that the type of medical professional who can prescribe it should be slightly limited, as per the Hon. Robert Borsak's amendment.

The Hon. SUSAN CARTER (20:00): I too support the amendment. I am grateful to the Hon. Robert Borsak for moving it. This is such an important issue of safety for women. We should not be delegating to

regulation who can provide a medical service that can carry complications, possible hospitalisation, and a number of risks. If it is to be done, it needs to be done by those who are best qualified to do it. I have expressed my reservations about the extension to nurses because of the new study that is now available to us. The list of people who could be added by regulation includes not only pharmacists but also podiatrists, osteopaths and people who, I am sure, were outside the contemplation of Dr Amanda Cohn, who introduced the bill to the House. We want clarity in drafting, and we want to make sure that this House and this Parliament is accepting its responsibility and not just delegating important decisions to regulation.

Dr AMANDA COHN (20:01): The Greens oppose this amendment. As we thoroughly canvassed in debate on the previous amendment, registered health practitioners are already heavily regulated elsewhere in their scope of practice. We have just strengthened this bill through the amendment moved by the Hon. Penny Sharpe, which we passed, to explicitly refer to the other pieces of legislation that restrict that scope. Even if we amended the bill tonight to explicitly say that we think it should be legal under the Abortion Law Reform Act for podiatrists—I am choosing the member's example—to prescribe medical abortion drugs, that would not be allowed to happen in practice. It would be egregiously outside their scope of practice and prosecutable by the Health Care Complaints Commission. If this section of the bill were retained, it would have no current effect. It would not be possible to use that regulation-making power to do anything right now, because the Therapeutic Goods Administration's restriction is for nurse practitioners and endorsed midwives. It could not possibly be used.

We have gotten into this mess because of legislation that was passed in 2019 that was too restrictive, which meant that it could not be updated. The proposed regulation-making power is there for futureproofing to enable the Government to make changes in the future, in line with other bodies per their scope of practice in other legislation, without having to come back to the Parliament. But it even has the safeguard that the regulation is disallowable by the Parliament. If there ever were some truly egregious future example where a government of the day chose to add by regulation an inappropriate practitioner group, that would be disallowable. I do not think that any of the concerns that have been raised in response to this section of the bill hold any weight in the real world in terms of how the bill will be applied. I strongly support retaining this section of the bill and oppose the amendment.

The Hon. SUSAN CARTER (20:03): I will address the argument about the scope of practice and say that I am deeply uncomfortable with a health system that acts after the event. We want the greatest safety for everybody in our health system, and the scope of practice is something that happens after something bad has happened. I think the better drafting is drafting which does not permit that to happen in the first place.

The Hon. GREG DONNELLY (20:04): I commence my contribution by immediately acknowledging the contribution that was just made by the Hon. Susan Carter. In fact, that was the very point that I was going to raise when I got to my feet—but she has done it, and I fully endorse that. I have been in Parliament for a few years now—probably too long, many would think. That might be fair—I do not know. I want Dr Amanda Cohn to appreciate this point, which I am directing not as a criticism but as an observation. From the very first year I entered Parliament, The Greens as a political party—and Dr Amanda Cohn is a member of The Greens—have railed continuously about the practice of governments, left, right and centre, seeking to bring about change through the mechanism of regulation. I would have thought that The Greens, as a policy position—and I do not know their full set of policies—would reject the idea that matters should be effectively left to regulation.

I accept the member's point about being able to seek the disallowance of a regulation. However, I make the point that this bill is completely inconsistent with the historic position of The Greens in seeking to have changes effected through regulation by this Parliament or any other legislature in Australia. I want to make that point very clear. I find that it is a 180-degree shift from the position The Greens have traditionally articulated and argued on every issue that has come before the Parliament. This is the first time I have seen The Greens, through the vehicle of a bill and a provision within that bill, argue that regulation is a fine and dandy way to effect change. That has come as a surprise.

With respect to the endorsed midwives and nurse practitioners, I have expressed reservations about the extension permitting those two categories of persons to be involved in medical terminations, given that the stakes are as high as they are—and they are high. Do not misunderstand me because I do not want to exaggerate this, but they can be life and death. Serious haemorrhaging is well known to occur in some instances after taking either of the two pharmaceuticals associated with medical termination. I challenge the idea that the two proposed new categories of persons can adequately deal with that, particularly in an emergency situation.

I also challenge the idea that it would be left to the government of the day—perhaps subject to political lobbying or pressure or influence or whatever—to come up with a regulation so that, beyond what would be three categories, if the amendment is endorsed, there could be any other possible category of individual who could come within a bull's roar of being considered able to deal with the prescription and administration of these pharmaceuticals for medical termination.

The Hon. ROBERT BORSAK (20:08): The whole notion of kicking it off to regulation flies in the face of the importance of the debate over the past decade or so of abortion law in New South Wales. Seeking to kick it under the carpet in that fashion—allowing bureaucrats to make recommendations and then making the excuse that there are 14 business days to object, and to have that objection passed after much debate in this place—is frankly a bit of a con job.

My colleague the Hon. Greg Donnelly is exactly right: If anyone complains about government by regulation, it is The Greens, yet now they seek to do it. In the amendment we are trying to guard against regulation creep, which we will see over time if we allow it to happen. If changes are made to this law, they must come to the Parliament and be properly debated. Let us see how it falls on the day. The amendment removes the catch-all "other registered health practitioners as prescribed by regulation". We should not leave the door open for future governments to quietly expand who can perform abortions without parliamentary scrutiny. I will not address that, but the reality is there will be silly examples like podiatrists and other things, which is nonsensical. We have to be very careful in this highly sensitive area.

Health decisions like these deserve proper debate, not regulatory back doors. We saw that development in the way police want licensed firearms owners to be regulated based on feedback from non-psychologists. That is walking away from the relevant qualified professionals for the sake of expediency. Will we see that happen in this area of women's health on who can apply abortions? Will we see that happen to the children we, at least, want to bring into the world? If this is allowed to happen with abortions, we are in effect returning to the backyard abortion. That is what we are saying. But no-one wants that ever again. We will do whatever we possibly can to make sure that if this matter is going to be debated, it is going to be debated in this place. It will be won on the day, one way or the other, after we do whatever we can to make changes by way of amendment.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendment No. 4 on sheet c2025-077A. The question is that the amendment be agreed to.

The Committee divided.

Ayes31
Noes9
Majority.....22

AYES

Banasiak	Kaine	Munro
Barrett (teller)	Latham	Nanva (teller)
Borsak	Lawrence	Overall
Buttigieg	MacDonald	Primrose
Carter	Maclaren-Jones	Rath
Donnelly	Martin	Ruddick
Fang	Merton	Sharpe
Farlow	Mitchell	Suvaal
Franklin	Mookhey	Tudehope
Graham	Moriarty	Ward
Houssos		

NOES

Boyd (teller)	D'Adam	Hurst
Buckingham	Faehrmann	Jackson
Cohn (teller)	Higginson	Murphy

Amendment agreed to.

The Hon. ROBERT BORSAK (20:19): I move Shooters, Fishers and Farmers Party amendment No. 6 on sheet c2025-077A:

No. 6 Conscientious objections

Page 4, Schedule 1[9] and [10], lines 8–13. Omit all words on the lines.

Doctors, nurses and health staff should not be forced to go against their deeply held beliefs. Our amendment removes The Greens' attempt to override conscientious objection. I might add that we see this all the time from The Greens, because they have a straitjacket agenda and a straitjacket approach to what people should believe: "If you do not believe what we believe, well, too bad. We will try to legislate you away." The amendment respects

the differing beliefs, in part, of a fair and tolerant health system. The Greens expect their weird beliefs to be respected, especially in this place, but anyone else must be subjected to their control. That is not how it is meant to be in a tolerant society. We want health professionals to be able to freely exercise their conscience in relation to how they deal with the difficult question of abortion, and let the person who is seeking that advice then make up their own mind about where they are going to go. Health professionals should not be forced to make a referral directly to another abortion doctor or professional.

Dr AMANDA COHN (20:21): The Greens oppose the amendment. In doing so, I will explain what is actually happening under the current laws relating to conscientious objection. Health practitioners have the right to conscientiously object to providing abortion, and we do not propose to change that tonight. What the bill proposes to change is that a conscientious objector should need to refer their patient onward to someone who they reasonably believe would provide abortion, either another practitioner or another service. In my own experience as a rural general practitioner who provided abortion, it was a common occurrence that patients would come to me significantly later in their pregnancy than when they originally sought abortion services because their regular GP—often the sole GP in a country town—was a conscientious objector, who had no requirement to provide a referral. It means that those patients come without relevant and necessary medical information.

A referral letter includes information like past medical history, investigation test results, blood test results, ultrasound results and medication lists. Without that information, a practitioner then has to start again with that person. It can be distressing to have to repeat procedures and tests, which has its own medical risk. It can be distressing for the person to have to tell their whole story over again. But it also delays the provision of the abortion to later in the pregnancy. It might mean that someone is then having a surgical procedure, who could have had a medical abortion. It actually increases the medical risk for a person to have abortion provided at a later stage.

Doctors do not take the actual Hippocratic Oath anymore. They have not for a very long time, but many take a modern version of that oath, which includes that principle of "do no harm". I would argue that a conscientious objector who does not provide a referral—and we are talking about the provision of clinical medical information and the transfer of medical care—is actually doing significant harm. They know that that patient is seeking abortion. Every piece of evidence from every country in the world tells us that if the provision of abortion is obstructed or is made difficult, people will seek abortion anyway. We know that from every jurisdiction where abortion is illegal. Once that service is denied, they will either try to seek abortion themselves—members have already commented on the dangers of backyard abortion—or they will find a new provider themselves. In New South Wales, the pathways for finding where to go have been described by academics in peer-reviewed papers as opaque.

I have spoken on more than one occasion in this Chamber about problems with the Pregnancy Choices Helpline. It is not working. Many people who work in the system for NSW Health do not know where to send someone for an abortion. When a practitioner knows that someone is seeking an abortion and exercises their right to say, "No, I will not provide that abortion," they then send the patient into the community, where it is difficult to know where to go to find a safe abortion. As a result of this, they may self-manage their abortion or face significant delay and further harm. You could argue that those practitioners are actually causing harm under the status quo. Some in the community have made the argument that this change to conscientious objection will somehow result in an exodus of practitioners from either their places of work or from the profession entirely. I am sure that some members will make that argument shortly. Some anecdotal evidence to this effect was introduced during the second reading debate.

The current situation in Victoria is the strongest evidence that this does not and will not happen if this portion of the bill remains. A conscientious objector in Victoria must refer the patient on to either a service or another practitioner that they believe will reasonably provide the service. There is not an exodus of doctors, nurses and midwives leaving Victoria. In fact, the exact opposite is true. Doctors, nurses and midwives from New South Wales want to work in Victoria because the pay and working conditions are better. This will not have the catastrophic effect that it is touted to have. It will actually make many patients much safer as a result of having safe, clinical transfer of care to another practitioner so that an abortion can be provided as safely as possible. That is something that we should all strive for.

The Hon. DAMIEN TUDEHOPE (20:25): I will support the amendment. I want to deal with some of the issues raised by Dr Amanda Cohn. The member was not here when the legislation was last debated. The obligation of referral occupied a significant amount of time during the debate. It was widely accepted that medical practitioners should not be required to participate in what they saw as a moral wrong. Requiring a medical practitioner with a conscientious objection to refer a patient to another doctor who will provide the service that they object to providing would require them to participate in what they view as a moral wrong. That was the crux of the problem during previous debate on this legislation. The solution was that doctors would be required to refer the patient to pregnancy help centres and other similar services for the purposes of garnering information.

The issue was considered by the committee reviewing the Abortion Law Reform Act. For the reasons outlined by the proponent of the bill, there was no suggestion that the problem identified by Dr Amanda Cohn be solved by some legislative process. If people are being referred late, then there is a failure in either the education or information processes. It will not be solved by requiring doctors to participate in what they view as a moral wrong, although the member may disagree that they should be able to. Once a doctor has formed the view that it is wrong, requiring them to refer the patient to someone who will then perform the act means that they have cooperated in an act that they view as morally wrong. I side with the recommendation of the review panel on conscientious objection. If this issue exists to the extent that the member thinks it does, we should not solve it by requiring medical practitioners to cooperate in it. We should solve it by some other educational process.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:29): I make a short contribution to debate on the amendment. The issue was heavily canvassed five years ago when we dealt with abortion reform. I believe that we need to be able to make space for and understand people's deep convictions in relation to terminations and the way we deal with that matter. I think that is very important in any system that we set up. I also think that women seeking the treatment they need and seeking a termination should be able to find the assistance that they need. That is really the balance here about where we try to do it. In this matter, I believe we got the balance right in 2019. I think it is a challenge. I have carefully read the statutory review. We need to make sure that we have clear pathways, that there is good information and that education is extremely important. I will continue to hassle the health Minister on working through that. He is committed to doing that as well. I am supporting the amendment.

The Hon. GREG DONNELLY (20:30): I speak in support of the proposed amendment. I do not intend, as I said earlier, to repeat what I said in the second reading debate last night. I make the point, though, that I do not think for a moment there should be any underestimation about the significance of a human being, any human being—and I am talking about a human being of age and reason, not a human being unborn—to be able to exercise their conscience over a deeply held matter. Sometimes there is some confusion about this and I want to make the distinction. I am sure people appreciate it, but please be patient. A conscience is not just how I feel about something. My feelings can move one way or the other, almost depending on—and I am being facetious here—the weather or the month or whatever. I can have a feeling about this. That is not what we are talking about. That is not a person's conscience. That is a feeling, an emotional sense of a position they hold on a matter at a point in time on an issue being considered.

Conscience goes to and strikes at the very essence of the human person and the ability of that human person to take what they understand is truth. I am not going to paraphrase Pontius Pilate with his comment, "What is truth?" which we are all very familiar with from the New Testament. On the matter of truth, appreciation of truth goes to the belief of what is morally right and morally wrong. People can differ about that, but people insist on this ability to exercise conscience to make a determination about what is being considered—does it measure up with their deeply held conviction about what is true about a matter.

With respect to pregnancy termination, whether this position is accepted or not by the sponsor of the bill is for her, but she does need to understand. People who support this position of wanting to effectively dispose of a person's conscience in the determination of a significant moral matter, I think, do not quite understand the significance of what that would do not just to that human being but one's whole society, where you are effectively saying to people, "You can't exercise your conscience. That's something that cannot be exercised." This is being done in the context of this particular moral matter, but what about other moral matters? Is the argument that you can extinguish conscience? If it is endorsed in the bill—and I hope it will not be—that is what it would bring about.

If you can abolish conscience and a person's right to exercise their conscience on this matter, what about something else? Why should we not abolish conscience in the context of other matters that someone might bring forward and say, "Listen, this deserves that there be no capacity to exercise conscience. This is just the majority view and you just have to accept that." I do not think that is right. I do not think that is at all fair and reasonable, particularly in the secular and humanist society in which we live, where we respect the values and rights of the individual to make critical decisions about matters important to their fundamental beliefs. I support the amendment.

The Hon. SUSAN CARTER (20:34): I speak on this amendment not for myself—I outlined my views in relation to conscientious objection last night—but because I feel compelled to speak in favour of the amendment on behalf of the very many midwives and doctors who contacted me and asked me to speak for them and about them and their deep concerns about this provision in the legislation. The honourable member who introduced the bill asserts that we will not see an exodus of health professionals, should the bill be passed. I hope we never have to test that. Having heard from medical associations, doctors and one public hospital where a quarter of the

midwives have told me they will walk if this provision is brought into effect, I do not want to see members of this Parliament testing this.

I provide an extract from an email I received today from someone who describes herself as a GP obstetrician who has received a Royal Australian and New Zealand College of Obstetricians and Gynaecologists award for over 30 years continuous rural service, and who is still working. She has said that she and a number of midwives she knows will be unable to comply with the legislation if it is passed. She says simply that, as politicians, we have a conscience vote, but the right to exercise their conscience will be denied to the doctors and the midwives. I happily support this amendment.

The Hon. ROBERT BORSAK (20:36): I have listened with a great amount of interest. I made my contribution at the start in relation to conscientious objections. The points raised have been well made. New South Wales is not Victoria. The conscientious portion of previous debates on abortion legislation passed in Parliament five or six years ago has been referred to by members. As mentioned earlier, that bill dealt extensively with this issue and it was a long and difficult debate. In this place, the point made a few minutes ago is that we are all given a conscience vote on this issue, yet we are drawing judgement on professionals who have to deal with this area with particular difficulty, especially since they may have a conscientious objection to doing abortions for their patients.

Obviously I support my own amendment, but what is more important is that we maintain the concept of conscientious objection. Because if anything on the left drives the left, in all the years I have been involved not only in politics but also in life in New South Wales and Australia in general, conscientious objection has been the one staff that the left have held up and said, "We've always got to maintain that right." Yet the very people who have succeeded based on conscientious objection over many decades are now seeking to take it away from those who are required by their conscience to maintain their rights in that area. It is very important that they maintain that right. That is why I moved this particular amendment. I urge members to support the amendment.

The CHAIR (The Hon. Rod Roberts): I clarify for members that if this amendment succeeds, the Libertarian Party amendment No. 3 on sheet c2025-090C will lapse. The Shooters, Fishers and Farmers Party amendment will be put first because it was registered earlier. The question is that the Shooters, Fishers and Farmers Party amendment No. 6 on sheet c2025-077A be agreed to.

The Committee divided.

Ayes32
Noes9
Majority.....23

AYES

Banasiak	Kaine	Munro
Barrett	Latham	Nanva (teller)
Borsak	Lawrence	Overall
Buttigieg	MacDonald	Primrose
Carter	Maclaren-Jones	Rath (teller)
Donnelly	Martin	Ruddick
Fang	Merton	Sharpe
Farlow	Mihailuk	Suvaal
Franklin	Mitchell	Tudehope
Graham	Mookhey	Ward
Houssos	Moriarty	

NOES

Boyd	D'Adam (teller)	Hurst
Buckingham	Faehrmann	Jackson
Cohn	Higginson	Murphy (teller)

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): I welcome to the gallery Chris Hanna, mayor of the Snowy Monaro Regional Council, and Julia Ham, mayor of the Snowy Valleys Council. They are friends and guests of the Hon. Nichole Overall.

I remind members that the result of that amendment means that the Libertarian Party amendment No. 3 on sheet 090C has now lapsed. I ask the Hon. John Ruddick to move his amendment No. 6.

The Hon. JOHN RUDDICK (20:47): I move Libertarian Party amendment No. 6 on sheet c2025-090C:

No. 6 **Report by Chief Health Officer**

Page 4, Schedule 1. Insert after line 13—

[10C] Section 11B

Insert after section 11—

11B Report by Chief Health Officer

- (1) In each calendar year, the Chief Health Officer must prepare and give to the Minister a report in relation to health services provided in the immediately preceding calendar year in connection with the performance of abortions.
- (2) Subject to subsection (3), the report must contain—
 - (a) demographic and clinical information in relation to each abortion performed in the immediately preceding calendar year, including—
 - (i) the age of the person on whom the abortion was performed, and
 - (ii) the gestational age of the foetus, and
 - (iii) the sex of the foetus, if ascertained, and
 - (b) other information, including data and statistics, of a kind prescribed by the regulations or determined by the Minister.
- (3) A report under this section—
 - (a) must not refer to the particular age of a person on whom an abortion was performed but to an age category including a range of not less than 5 years, and
Examples— age categories of under 15 years of age, 15–19 years of age and similar
 - (b) without limiting paragraph (a), must not refer to the particular gestational age of the foetus but to an age range.
Examples— age categories of 9 weeks or less, 10–13 weeks and similar
- (4) The Minister must, within 12 sitting days of the House after the day on which a report is given to the Minister under this section, cause a copy of the report to be laid before each House of Parliament.

Amendment No. 6 is a critical measure that mandates annual reporting to Parliament of abortions performed under division 2. The amendment is not about judgment or restriction; it is about transparency and accountability in our healthcare system. It is about data collection to inform public policy. By requiring the Chief Health Officer to compile and present a detailed anonymised report to Parliament, we ensure that our policies on abortion are informed by data, grounded in reality and aligned with our commitment to both life and the wellbeing of women. Why is the amendment so vital? Firstly, it provides clarity. The report will include demographic and clinical details such as the age ranges of women and the gestational age ranges of fetuses, allowing us to understand the circumstances surrounding abortions. That data is not about identifying individuals; it is about seeing patterns. Those insights will enable us to craft better policies, improve access to support services and assess the root causes that lead women to seek abortions. Knowledge is power. The amendment empowers us to make informed decisions.

Amendment No. 6 ensures accountability. By mandating that those reports be laid before Parliament, we guarantee that the public and their representatives have access to critical information. This transparency fosters trust in our healthcare system and demonstrates our commitment to governing with integrity. It also respects the privacy of individuals. The amendment strictly prohibits specific details about age and gestational age, with broad ranges to protect anonymity. This balance between openness and confidentiality is a hallmark of responsible legislation.

This amendment is a step towards a society that values life and seeks to understand the complex realities of those who consider and proceed with an abortion. The data collected could reveal gaps in maternal care, socioeconomic challenges or health disparities. It can guide us in our investment in prevention, education and support for mothers and families. By passing amendment No. 6 we affirm that every life, born or unborn, matters and that our policies reflect compassion and clarity. I urge members to vote for amendment No. 6.

The Hon. SUSAN CARTER (20:50): In considering and preparing for the bill, the first thing I did was to try to get information about the frequency of abortions, who was having abortions and at what gestational age

abortions were being carried out. I could not find any. The staff at the Parliamentary Library helpfully gave me the last report available that was specifically for New South Wales. That report was done in 2020, the year after the 2019 legislation. They also helpfully gave me information that was an extrapolation and very clever guesstimates, achieved by overlaying Medicare data with Pharmaceutical Benefits Scheme data with Australian Bureau of Statistics data on residents. That demonstrates the need for this amendment. We need to know everything that the Hon. John Ruddick has suggested so that we can inform policy. We need real data about where abortions are occurring and where there may not be access. We do not have that information at the moment. This amendment is critical so we can gather that information to inform better policy in this area.

Dr AMANDA COHN (20:51): The Greens oppose the amendment, but I actually agree with a lot of what the previous two members have said. There is a far greater need for access to data that covers what is currently happening. That information is frequently called for by advocates for better abortion service provision as well. However, my objection to the amendment is that this data collection does not need to be legislated. My argument is very similar to the one I made in my contribution to the second reading debate about the part of the bill that proposes to remove the legislated data collection requirement. Health already has significant powers to collect data. It should be reporting data, but that does not need to be in the bill.

On the point made by the Hon. Susan Carter about the process she had to go through to find current information, the fact that the Parliamentary Library was able to aggregate and estimate the statistics that were requested through Pharmaceutical Benefits Scheme data, Medicare data and other data demonstrates that information exists. I place on record my strong support for quality data collection and better reporting from NSW Health on the provision of abortion across the State. However, that can be done by Health without requiring it to be done so specifically in the Abortion Law Reform Act.

The Hon. JACQUI MUNRO (20:52): I do not support this amendment, but I appreciate the intention of the amendment and the importance of collecting data, which will help in understanding where care is available and what kind of care has been provided to women seeking abortion. I foreshadow my support for the upcoming Shooters, Fishers and Farmers Party amendment relating to the annual report. I believe that is a more appropriate mechanism. The terms of that amendment are more appropriate to understanding what services are available and where, in addition to the kinds of services that are available without going into the level of detail outlined in this amendment. This amendment goes into some very specific information that may compromise in some way the anonymity of individuals in potentially sparsely populated regions. While that data collection is appropriate for the department to undertake in their capacity as facilitators of this care, putting it into a public report is not necessarily the best way to achieve the most important intention of data collection, which is understanding where services are and how those services are provided.

The Hon. ROBERT BORSACK (20:54): I say at the outset it is very hard for me to support an amendment that would cause problems for my amendment, if not wipe it out completely. I do have sympathy for the honourable member's position but we simply do not believe we can support it at this time. I think our amendment more points to the status quo and the status quo reporting requirements are quite adequate for what we are trying to do.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:54): I do not support this amendment for a number of reasons. One is—and I again refer back to 2019 and the many hours that some of us spent in here working through the issues around data—that I absolutely support the need to collect data. Like all health data, we need to collect the right data so that we know that we have got the right services in the right places and so that we can identify whether there are issues. Another is that I sought advice from NSW Health directly and I was told that some of the data is not collectible because there is a lot of privacy provision so the data is not always there or cannot drilled down to that level of detail. I also agree with the Hon. Jacqui Munro that there are real challenges around maintaining privacy around data collection, particularly in regional areas. We should take that very seriously. Finally, I believe the status quo in relation to data collection is adequate, so I do not support this amendment. I am also unlikely to support the one of the Shooters, Fishers and Farmers Party. It is an issue with how data is reported.

The Hon. Damien Tudehope: Likely or unlikely to support it?

The Hon. PENNY SHARPE: Let me hear it first, but I am definitely not supporting the Hon. John Ruddick's amendment. That is the point.

The Hon. GREG DONNELLY (20:56): I will not take a lot of time on this particular point but it is worth mentioning. On the issue of data collection I have an experience to report to the House that is directly apposite and gives a sense of the reality of the data situation. I have been working with NSW Health over effectively an eight-month period on an application I made under the Government Information (Public Access) Act [GIPAA]. It was a request for a significant amount of information about pregnancy terminations in the State. It started in

about September last year with the formal GIPAA application—and paying the fee—and once it reached NSW Health, the agency came back to me expressing a number of issues and concerns. I negotiated with Health in good faith from October through to February to produce a compliance report on an amended set of questions that I raised.

What I finally got back reflected the fact that I had made a number of compromises in my claims for information. One claim that comes immediately to mind is the issue of concerns about privacy. I acknowledged an issue of particular concern put by NSW Health, which may only be a concern for remote parts of the State. It was that if NSW Health provide information by postcode to meet a GIPAA demand it could be problematic as it could make it easy to identify a party, so I withdrew that request. NSW Health did come back with some detailed information, however, which I am happy to share to anyone who wants to see it after debate on this bill. It is very a detailed response to a detailed set of questions and it goes on for several pages. The point is that it cost about \$1,000 to obtain the information. Please do not misunderstand me; you do what you do and people do more than what I did in terms of handing over money to Revenue NSW.

All of that information and a whole lot more about pregnancy termination is on the hardware at NSW Health in St Leonards. All that needs to be done is to extract the information and put it into tables. That is not a particularly big ask. Why should it cost someone \$1,000 to go through seven or eight months of negotiations to get information? It was not intended to be used before the Committee to rail against the member's bill but to inform myself about the reality, with some precision as to the exact number of pregnancy terminations since the commencement of the Abortion Law Reform Act 2019. It should not be highly contested.

Picking up on what the Hon. Susan Carter said, there are matters to do with pregnancy that are important for us, as legislators, to be informed about that do not go to the polarising position of whether one supports abortion or does not support abortion. The idea of putting up a brick wall to allowing that to be obtained—moreover, through an amendment that we are going to deal with later—and taking it out of legislation that was the result of detailed negotiations is extraordinary. There were negotiations in 2019 that I engaged with the Hon. Penny Sharpe on in particular. Data is the gold standard of information needed for good health policy. The member continues to say that abortion is health care. That being so, the information should be collected, analysed and made readily available at no cost to the citizens of New South Wales and legislators.

The Hon. DAMIEN TUDEHOPE (21:01): I start by saying that I support the amendment. The only additional thing that it imposes upon the Chief Health Officer regarding data collection is that they provide a report to the Parliament in a consolidated form. Pursuant to the existing Act, there is already a notification process that is required to be completed by medical practitioners within 28 days of a termination taking place. The data is being collected and already exists. It is within the department of health. The only thing that the amendment requires is a report to be provided by the Chief Health Officer in a consolidated form. To the extent that the proponent of the bill welcomes the collection of data, I agree with the sentiment that she expresses.

Yesterday, in my contribution to the second reading debate, I said that the removal of that provision seems to fly in the face of what the member seeks to achieve. We should all know whether there is a deficit in the provision of medical services in a particular area. Tonight Dr Amanda Cohn has acknowledged that that is exactly the data we should be collecting and, if there is a deficit, that should be the guiding principle for healthcare decisions and the provision of services. The material is being collected. There is a requirement under the existing Act to collect it. There is a straightforward form that is required to be completed by a medical practitioner. The impact of the amendment would require a report in a manner that is easily readable. The figures should be available to everyone in this place without having to apply for information under the Government Information (Public Access) Act 2009 or any other application to collect information. It should be in a report that is available to all members. Therefore, the amendment is not all that extreme or problematic. It will better inform the decision-making of the Committee, and is eminently capable of support.

The Hon. GREG DONNELLY (21:04): I hope the articulation of my position on the amendment of the Hon. Robert Borsak was not seen as a slight or disrespect towards the member, in terms of his amendment on the retention of the existing provisions. I appreciate his position and I have respect for the way he has engaged in this. In fact, through discussion that I was aware of, he has done a very good job of ensuring that the provisions are going to be protected, I hope. I support the amendment of the Hon. John Ruddick.

The CHAIR (The Hon. Rod Roberts): The Hon. John Ruddick has moved Libertarian Party amendment No. 6 on sheet c2025-090C. The question is that the amendment be agreed to.

The Committee divided.

Ayes 14

Noes 27

Majority.....13

AYES

Carter	Latham	Mihailuk
Donnelly	Lawrence	Rath (teller)
Fang	Maclaren-Jones (teller)	Ruddick
Farlow	Martin	Tudehope
Houssos	Merton	

NOES

Banasiak	Franklin	Moriarty
Barrett	Graham	Munro
Borsak	Higginson	Murphy (teller)
Boyd	Hurst	Nanva (teller)
Buckingham	Jackson	Overall
Buttigieg	Kaine	Primrose
Cohn	MacDonald	Sharpe
D'Adam	Mitchell	Suvaal
Faehrmann	Mookhey	Ward

Amendment negatived.

The CHAIR (The Hon. Rod Roberts): Before I call the Hon. Robert Borsak to move Shooters, Fishers and Farmers amendment No. 7 on sheet c2025-077A, I note that the Libertarian Party has lodged an identical amendment. As the Shooters, Fishers and Farmers lodged theirs first, the Hon. Robert Borsak will move his first. If his amendment is passed, the Hon. John Ruddick's amendment will lapse. I call the Hon. Robert Borsak.

The Hon. ROBERT BORSAK (21:14): I move Shooters, Fishers and Farmers Party amendment No. 7 on sheet c2025-077A:

No. 7 Provision of information

Page 4, Schedule 1[11], lines 14–15. Omit all words on the lines.

The Greens want to scrap basic reporting and we say no. That data is vital for public health planning and service delivery. Our amendment keeps in place a reporting requirement that is anonymised, protects patients' privacy and ensures transparency, without compromising confidentiality. It is simple, it is good governance and it should be maintained.

Dr AMANDA COHN (21:14): The Greens will oppose the amendment. I outlined in a fair bit of detail in my second reading speech why this provision was included in the bill. I add that the statutory review of the Act included 35 submissions relating to this provision, and 34 out of 35 were either neutral or negative. The report comments that there is a known inconsistency of reporting and that the data is not used to benefit service delivery. I will add that my position will be consistent across all three amendments relating to data collection and reporting. I do not think that we need to legislate these very prescriptive requirements. NSW Health has a lot of power to collect information and a lot of power to report information, and it should absolutely be doing more of it.

I want to be very clear because I know how this section of the bill has been painted by some in the community, and I am sure it will be again after tonight. It will be said that I am somehow trying to ensure that abortions are happening across the State with no records being kept. It is an absolutely abhorrent allegation. Registered health practitioners have really serious and regulated requirements in terms of medical record keeping that are absolutely not impacted by the Abortion Law Reform Act or this bill in any way. Of course that will continue. Academic researchers, the health department and others have significant tools at their disposal to aggregate and collect data, either de-identified from medical records or from other types of data, like the Pharmaceutical Benefits Scheme, Medicare and others. For those reasons, I believe that section of the bill needs to be retained. We have not supported the other two amendments around quite prescriptive additional reporting requirements.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:16): I support this status quo amendment. There was a long discussion about data when we did this five years ago. This is the data that is being collected, and so I am happy to support the amendment.

The Hon. GREG DONNELLY (21:17): I do not need to speak for long on this amendment because I have effectively covered this point. This is not the time to debate what has been said with the member, but I make this simple point. Forget that I made the application as a member of Parliament. Why should it cost me \$1,000 of my money to get out of—if I can use that crude expression—NSW Health and the health bureaucracy of New South Wales some basic information about numbers of abortions undertaken in this State and other related matters?

It is all well and good to say that it is collected and it is there, but nobody can get it. The only way people can get it is to go through a seven-month back-and-forth negotiation to ultimately get a stripped-down version—and it was a stripped-down version of the questions that I asked. Just to be clear, I only conceded some of the points because I knew that if I did not make a concession then the negotiation could go on for another 12 months. I just did not want to do that. It is an absurd situation, so the argument does not stand up to any serious scrutiny. The data collection provision in the existing legislation is section 15. The Hon. Penny Sharpe spoke quite accurately about those provisions and how we got to that. She and I and others were involved in that whole process.

For the record, I have here a copy of the NSW Health pro forma schedule titled "Notification of termination of pregnancy", and I have distributed it to most members. It is not a prop because I will be seeking leave to table it. It is a one-page sheet with a total of seven questions. One of the questions asks for the date. I would like to table it for the record for the simple reason that I think that claiming that data collection places an onus on doctors to report on a significant practice in this State, with significant implications for half the population, is unfair and unreasonable. We need to have at least a baseline of information. Section 15 of the existing legislation requires a form that meets the requirements. Without reflecting on anyone who does not support the amendment, most reasonable people can see that this is a perfectly reasonable and, dare I say, minimalistic collection of information by NSW Health. So I seek leave to table it.

The CHAIR (The Hon. Rod Roberts): Although I am sympathetic to the member and can see the practical side, I have been advised that there is no provision to table documents during the Committee of the Whole.

The Hon. GREG DONNELLY: If that is the advice of Steven Reynolds, the Clerk of the Parliaments, that is the advice.

The Hon. DAMIEN TUDEHOPE (21:21): I also support the amendment. I acknowledge that the proponent of the legislation is not necessarily saying the data should not be collected, just that the collection should not be legislated. The history of why that provision was included is, as the Hon. Penny Sharpe pointed out, that there was significant disagreement about issues surrounding sex selection. That was the impetus for saying that there should be a collection of data. I think that the general consensus in the Chamber that if that was occurring, it should not have been. That was dealt with by saying that there was not sufficient indication of sex selection occurring but that, to the extent that it was perceived to be unacceptable to most members in this place, the data should be collected. Against that background, the legislative requirement to collect the data was included in the bill.

The form that the Hon. Greg Donnelly has made available effectively requires the medical practitioner to identify whether the termination was for the purposes of sex selection, which was the impetus for the development of the provision in the bill. Against that background, I do not think there has been any compelling evidence to show that that requirement should fall away, and in those circumstances there should be a legislative requirement to continue collecting the data.

The Hon. ROBERT BORSAK (21:23): I will quickly confirm my previous few words about this matter. Obviously, the obligations to report are important, not just from the point of view of the health department but also from the point of view of the public. It is very important that we know what is going on, and it should be legislated and the information made available as and when required.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendment No. 7 on sheet c2025-077A. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): As a result of that amendment being passed, as I predicted, Libertarian Party amendment No. 7 on sheet c2025-090C has now lapsed.

Libertarian Party amendment No. 7 lapsed.

The Hon. ROBERT BORSAK (21:24): I move Shooters, Fishers and Farmers Party amendment No. 3 on sheet c2025-078A:

No. 3 **Annual report**

Page 4, Schedule 1. Insert after line 15—

[11A] Section 15A

Insert after section 15—

15A Annual report to Parliament

The Secretary of the Ministry of Health must, on or before 30 September in each year—

- (a) prepare a report setting out the following in relation to the previous year ending on 30 June—
 - (i) a description of abortion service availability by region,
 - (ii) detailed information about access to, and waiting times for, abortion services,
 - (iii) information about the clinical performance of abortion service delivery, including how safely and effectively abortion services were delivered,
 - (iv) information about any adverse events or clinical incidents reported in connection with terminations,
 - (v) information about the performance of terminations in the State, by reference to region and district, and
- (b) provide a copy of the report to the Presiding Officer of each House of Parliament for tabling in each House.

The amendment relates to annual public reporting. Given the flavour of the previous debates, I do not think the amendment will be accepted; I have moved it anyway. There are some issues with getting the data for annual reporting on abortions that are performed outside the New South Wales health system. Nonetheless, it would be a good idea for a full reporting program to be put in place. This is about accountability. Each year, the Ministry of Health would be required to table a report to Parliament outlining service availability, wait times, safety outcomes and any incidents, broken down by region. That ensures transparency, improves service planning and gives the public confidence that health care is being delivered safely and responsibly. If abortion access is to be expanded, this oversight is the minimum we should expect.

The Hon. DAMIEN TUDEHOPE (21:25): I doubt this amendment will be successful, given that the similar amendment moved by the Hon. John Ruddick was defeated. It is unusual that the Hon. Robert Borsak has voted against the Hon. John Ruddick's amendment and then moved this amendment, which is—

The Hon. Robert Borsak: Because it's better.

The Hon. DAMIEN TUDEHOPE: I acknowledge the interjection. Part of the amendment addresses the problem that Dr Amanda Cohn identified as the motivating factor for introducing this bill. The Secretary of NSW Health will be required to report and provide a description of abortion service availability by region. I would have thought that is exactly the sort of data Dr Amanda Cohn would like to have reported to the Parliament by the secretary. If the data was to be collected and reported to members with that granularity of detail, Dr Amanda Cohn's arguments about her motivation for bringing the bill would have more force. There may be other issues. This is a higher level of reporting than is required of the Chief Health Officer. The amendment supports the collection of material and reporting to Parliament. For those reasons, it is eminently supportable.

The Hon. Dr SARAH KAINE (21:27): I speak in support of the amendment for reasons that echo the contribution of the Hon. Damien Tudehope. My contribution to the second reading debate centred on concerns about the availability of these services by region. Understanding what is happening, getting data and then being able to deliver services accordingly makes sense and is consistent with my previous position. We have had debates in this place about how women are treated in the medical system, including issues of medical misogyny and other serious problems with the way care is administered. To be fair, on reading the amendment, I do not know how gathering information about that would actually happen. I do not know how we will gather some of the information on waiting times et cetera. I am not sure about the practicalities of it. However, in light of the conversations and debates we have had in this place and during other inquiries about the treatment of women in the healthcare system, understanding those things is important. Anything that helps us gather data, or at least applies the appropriate pressure to try to gather that data, is worthwhile and important. Therefore, I support the amendment.

The Hon. SUSAN CARTER (21:29): I acknowledge the comments of Dr Amanda Cohn in relation to the data that the health department currently has available to it, and that the data is gathered. I acknowledge the comments of the Hon. Greg Donnelly in relation to the data that he has been able to access via the Government Information Public Access Act 2009. It is clear that a lot of this data is held by NSW Health but, from my experience of trying to access it, it is currently not reported or not reported in any way that is easily accessible by interested members of the public. The last report about New South Wales-specific abortion data was in 2020. I am fortunate, as a member of Parliament, that I can call the Parliamentary Library service and say, "I've got this really arcane request. Can you please do this for me?" and they can grab it. They are highly skilled at what they do.

We are so fortunate to have that resource. They put it all together and overlaid it to provide me with what they acknowledged was their best estimate, with lots of caveats about how reliable any of it was. If the information is being collected, as it clearly is according to Dr Amanda Cohn and the Hon. Greg Donnelly, then it is a simple matter to have it made available to the public, especially to members in this place, so that it can be used to inform policy development and better discussions about the topic. I very happily and wholeheartedly support the amendment.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:30): I want to be clear about the difference between what data is collected and what is sought to be collected according to the amendment. I say at the beginning that I do not support the amendment. I thank the Hon. Greg Donnelly for providing me with a copy of the form, which I have seen before but not for a while. I appreciate that. But to be clear to the Committee about what is being asked, I do not believe it is in any form. We may be able to gather some of the data, and I have sought advice from the Ministry of Health in relation to that specifically. But let us be clear about what the amendment seeks to do, which is provide an annual report. I am not opposed to an annual report, but what is being asked for is detailed information about access to and waiting times for abortion services. That is not possible to collect. We cannot do that.

The Hon. Tania Mihailuk: You can try.

The Hon. PENNY SHARPE: Sure, you can try, but if we are serious about doing this, we must work on how we can provide the information. I do not think we should hide from the data. We should be honest about what we have. I accept that there are issues with the current notification form which make it difficult to do that. But that is a policy decision. I cannot speak on behalf of the Minister for Health, but that matter can be dealt with by members working through the issues with the Minister and the health department. That can be done. I do not think that is a problem and I do not think members should hide from that. I do think that what is being asked for in the amendment should not be included in the legislation at this time because it is not able to be collected.

How are we going to know what the waiting times are for those services when there are so many different providers? I acknowledge it is likely that we will allow nurse practitioners to do that. This is a very discreet process. People must nominate the information. But the wait times are unknowable. We do not know when a woman will turn up. We do not know if she has been turned back. We do not know if she has gone to three different providers to try to deal with it. It is just not possible to collect the data. We should be serious and rigorous about data, but we should not put things into legislation that are impossible to collect. That is my problem with the amendment. I do not want to keep the Committee for a long time, but I do like that there is general agreement that data is good.

We need data to inform what is going on and understand what is being done so that we can provide the services people need. There is disagreement about what should or should not be in legislation, and at this point I support the status quo. I cannot speak on behalf of Minister Ryan Park, but he and his office are very open to talking to members about a lot of these issues. Those who are interested in the matter should continue to talk about it, because continual improvement in terms of data that is clear, that we can collect and that should be reported is something all members should aspire to achieve.

The Hon. JACQUI MUNRO (21:34): I am supporting this amendment. As I have said many times, the collection of data is incredibly valuable and, as I mentioned in the second reading debate, one of the problems identified in access to care is the accuracy of information provided by the government abortion helpline. I believe that data collected in a report like this would be critical to improving the service of the helpline and, therefore, helping women across New South Wales. The report is not just for members of Parliament to receive a copy of each year; it is also to inform the delivery of services across the State.

This amendment has key differences to the one moved earlier by the Hon. John Ruddick. It relates to the description of abortion service availability by region, which, as I said, is important for the helpline. But it is less specific around the demographic information that would need to be provided or presented in a report, which means that there would be greater anonymity because it simply refers to information about the performance of terminations in the State by reference to region and district rather than going further into the details of specific demographics, which I think is where we run into privacy issues.

There is an opportunity, through this bill, to ensure that future policymaking is more detailed. If NSW Health is not collecting that information at the moment, I believe it is exactly the type of information required for good policymaking. If the Government is committed to providing equitable and safe care for that legal service, I believe it is incumbent upon the Government to ensure that this kind of information forms part of its decision-making on policy and that it forms the basis for activity that the department engages in. I thank the honourable member for bringing this amendment, and I hope that it passes.

The Hon. EMILY SUVAAL (21:36): I am not supporting this amendment, and I briefly acknowledge that a lot has been canvassed by my colleague the Hon. Penny Sharpe when outlining her reasons, which substantially align to mine. I also add that the vast majority of abortion services currently performed in New South Wales are done in primary care settings—that is, in general practice. The requirement to collect data, if imposed on those providers through legislation, would obviously place an additional burden on them and, as the Hon. Penny Sharpe has outlined, would also be somewhat impractical. It is not clear to me how a GP in the Far West of New South Wales might be able to find or provide detailed information about access to and waiting times for abortion services.

I also have concerns around the part of this amendment that requires information about the performance of terminations in the State by reference to region and district. There are some parts of the State where populations are quite small, and there may be only one GP—or nurse practitioner perhaps, in the future—who provides those services in the town or regional area. The numbers could be small enough to render that information identifiable. To me, providing a copy of the report to the Presiding Officers of each House of Parliament for tabling is problematic. For those reasons, I am not supporting the amendment.

The Hon. SCOTT BARRETT (21:39): I, too, will not support this amendment. I agree with the general premise that, yes, data is good, and we need to collect relevant and important data. That is why I supported the previous amendment to keep that form into play. I was not a member then, but that is the position that members landed on in 2019 after spending a lot of time debating what data would be collected. However, this amendment takes that data collection too far—particularly in terms of privacy risks in the Far West and some of our more rural and remote areas—and it might identify those people that were involved.

Earlier when we were talking about whether something should be provided within a reasonable distance of home, one of the arguments against it was that it is not done with any other medical service. The same thing should apply here: We do not capture this level of data for any other medical service, so we should not be required to do the same thing for this service. Finally, I say that I have already spoken more than I thought I would on this matter, but this is an intense debate. Earlier today I talked about *McLeod's Daughters*, which shows the range of things that we talk about in this place. I probably have not been as nervous at the dispatch box since my inaugural speech. I thank every member for the way that they have handled themselves in this debate. For those in the gallery, you are seeing this place work at its very best. I congratulate everyone who has been involved. Thank you very much.

The Hon. Dr SARAH KAINE (21:41): I appreciate the contributions that we have heard on this amendment and the reflections on the importance of data. However, data is only as good as the reporting that it allows. If we leave things at requiring data to be collected but not making that data accessible or using it in any way, then we may as well have not voted to keep the relevant section. Whilst I acknowledge the difficulties posed and that we will have to think creatively about how to collect data that is useful, data for data's sake is not a good thing. We need data to be used to inform evidence-based policymaking and the distribution of resources. We are all very pro-data, but let us use it for something.

The Hon. ROBERT BORSAK (21:42): I echo the point that when data is utilised, it becomes information. Collecting data and turning it into information is what this amendment is all about. Some regional members have said that there is too much detail or that it is too granular because we want reporting at a detailed level in the regions, which I find a bit hard to take. I do not actually quite understand that position. One of the primary features of the bill, as intended by the mover, is trying to ensure equity in the availability of abortion services across the State. That would be made particularly difficult for all the reasons that we discussed and for which various amendments were moved and passed tonight. The reality is that unless we track the service and see what happens in each one of those regions around the State and at various hospitals, whether they be private or public, we will not have the information to learn and improve it.

I can understand the Government's position. This data is difficult to collect, and it is difficult to collate. Once it becomes information, all of a sudden people will be saying, "Well, we would like better services, and we want you to spend more money on health in our region," and I get that. But I think it is incumbent upon us to understand that it is especially important in this area to do granular reporting and understand why abortions are occurring and how women are being treated. For example, it was argued that we cannot measure wait times. Well, we measure wait times in health care all over the place. I do not think we need to go through the detail of that. On that basis, I commend the amendment to the Committee.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendment No. 3 on sheet c2025-078A. The question is that the amendment be agreed to.

The Committee divided.

Ayes21
 Noes19
 Majority.....2

AYES

Banasiak	Houssos	Merton
Borsak	Kaine	Mihailuk
Buckingham	Latham	Munro
Carter	Lawrence	Overall
Donnelly	MacDonald	Rath (teller)
Fang	Maclaren-Jones (teller)	Ruddick
Farlow	Martin	Tudehope

NOES

Barrett	Graham	Moriarty
Boyd	Higginson	Murphy (teller)
Buttigieg	Hurst	Nanva (teller)
Cohn	Jackson	Primrose
D'Adam	Mitchell	Sharpe
Faehrmann	Mookhey	Suvaal
Franklin		

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): That leaves us with one last amendment. The Hon. Robert Borsak's amendment No. 8 on sheet c2025-077A.

The Hon. ROBERT BORSAK (21:52): I move Shooters, Fishers and Farmers Party amendment No. 8 on sheet c2025-077A:

No. 8 Termination of pregnancy performed by unqualified person

Page 5, Schedule 2[3], line 9. Insert "who is authorised by the *Abortion Law Reform Act 2019* to perform the termination" after "prescribed health practitioner".

The amendment relates to clarifying the Crimes Act. This is a simple but important clarification inserting wording to make it clear that only those authorised under the Abortion Law Reform Act can legally perform terminations. It is about closing loopholes and ensuring that there is no room for misinterpretation in the Crimes Act. It is self-explanatory and necessary, and hopefully everyone will vote for it.

Dr AMANDA COHN (21:53): It is my view that the amendment is unnecessary, but The Greens will not be opposing it and agree with the stated intent of the mover that it is clarifying the intent of the bill.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:53): My view is that this amendment is fine. Clarifying amendments are sometimes required in bills like this, and we support this one.

The Hon. DAMIEN TUDEHOPE (21:53): For the same reasons, we will be supporting the amendment.

The Hon. GREG DONNELLY (21:53): For the record, I do the same.

The CHAIR (The Hon. Rod Roberts): The Hon. Robert Borsak has moved Shooters, Fishers and Farmers Party amendment No. 8 on sheet c2025-077A. The question is that the amendment be agreed to.

Amendment agreed to.

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

The Committee divided.

Ayes27
 Noes14
 Majority.....13

AYES

Barrett	Graham	Moriarty
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AYES

Boyd	Higginson	Munro
Buckingham	Hurst	Murphy (teller)
Buttigieg	Jackson	Nanva (teller)
Cohn	Kaine	Overall
D'Adam	Lawrence	Primrose
Faehrmann	MacDonald	Sharpe
Fang	Mitchell	Suvaal
Franklin	Mookhey	Ward

NOES

Banasiak	Houssos	Mihailuk
Borsak	Latham	Rath (teller)
Carter	Maclaren-Jones	Ruddick
Donnelly	Martin (teller)	Tudehope
Farlow	Merton	

Bill as amended agreed to.

The CHAIR (The Hon. Rod Roberts): I thank members for the way they have conducted themselves this evening. I know this can sometimes be an emotional and divisive issue, but I did not have to call any member to order. The debate was conducted in a civil manner and, from my viewpoint, members made my life very easy.

Dr AMANDA COHN: I move:

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

Motion agreed to.**Adoption of Report**

Dr AMANDA COHN: I move:

That the report be adopted.

Motion agreed to.**Third Reading**

Dr AMANDA COHN (22:03): I move:

That this bill be now read a third time.

The bill that we are now voting on is significantly different from the bill I introduced, but I do not think it is a surprise to anyone that the view of the majority of the House is different to the view of The Greens on the matter. The Greens will continue to advocate for the change that is desperately needed, and particularly to hold the Premier accountable to his promise that access will be provided through the public health system, and that it will be funded. That said, what members are doing today is historic, and I strongly commend the bill as amended to the House. Advocates for women's rights and reproductive rights across New South Wales and Australia have been anxious that our hard-fought and hard-won rights might be eroded. We have only to look to the United States, where abortion bans in several States have resulted in the preventable deaths of women from pregnancy complications where abortion is the intervention that would have saved their life.

Today the Legislative Council is not only safeguarding reproductive rights in New South Wales, but taking an important step forward and improving them. Nurse practitioners and endorsed midwives being able to prescribe medical abortion will improve access to abortion, and equity of access to abortion, especially in rural New South Wales. I thank the Government and, in particular, the Leader of the Government in the Legislative Council, the Hon. Penny Sharpe, for allowing the bill to be given the time it deserves for consideration in detail during government time. I also thank Rosie Rand and Lynden Bartrim from the Office of the Minister for Health for their patience not only this evening but also during the many conversations that we have had about the issue since my election to Parliament, and that I am sure we will continue to have. I commend the bill to the House.

The Hon. DAMIEN TUDEHOPE (22:06): I join with those members who have made observations about the manner in which the debate has been conducted. However, I place on record that, in many respects, tonight is a tragic night for unborn children. For those who actually believe that life begins at conception and continues through to its natural end, any intervention to terminate that life by any person, and increasing of the number of

persons who can administer lethal doses to unborn children, should never be celebrated as an advancement for the people of New South Wales. So, although the bill has passed tonight, for those who believe in the sanctity of life, any steps to increase the cohort of people who can administer lethal injections and provide lethal drugs to terminate that life would be a tragedy for those unborn children. Although the bill passes, it should be done with sadness and shame.

The PRESIDENT: The question is that this bill be now read a third time. A division has been called. Is leave granted to ring the bells for one minute?

Leave is granted.

The Hon. Penny Sharpe: Mr President, I request that leave for a short bell be withdrawn as there are two members who are now coming back.

Leave withdrawn.

The House divided.

Ayes25
Noes15
Majority.....10

AYES

Barrett	Higginson	Munro
Boyd	Hurst	Murphy
Buckingham	Jackson	Nanva
Buttigieg	Kaine	Overall
Cohn	Lawrence	Primrose
D'Adam	Mitchell	Sharpe (teller)
Faehrmann	Mookhey	Suvaal
Fang	Moriarty	Ward (teller)
Graham		

NOES

Banasiak	Houssos	Mihailuk
Borsak	Latham	Rath (teller)
Carter	Maclaren-Jones (teller)	Roberts
Donnelly	Martin	Ruddick
Farlow	Merton	Tudehope

Motion agreed to.

The PRESIDENT: Honourable members, with your indulgence I would like to make a serious comment, and that is this: Tomorrow is the birthday of a significant Australian, our Deputy President, the Hon. Rod Roberts. I wish him a very happy birthday.

Adjournment Debate

ADJOURNMENT

The Hon. DANIEL MOOKHEY: I move:

That this House do now adjourn.

ROSIE BATTY

The Hon. MARK LATHAM (22:17): Three times recently *The Sydney Morning Herald* has said I abuse women, citing comments I made nine years ago about Rosie Batty. It is a cheap shot that deserves a factual response. In 2015 and 2016 a board member of the Luke Batty Foundation sent me scores of pages of documents, including board minutes and emails from Rosie Batty, exposing two major problems. Why did they choose me? I suppose I was the last resort, having seen several Federal MPs fail to speak out. It is a tough job telling the truth about Saint Rosie. The first problem was that Rosie Batty had taken a \$135,000 donation meant for the Luke Batty Foundation and put it in her own bank account. She was asked to give the money back, but never did so. Six of the original eight directors resigned including the treasurer. On 17 June 2015 the new Luke Batty Foundation Treasurer, Anthea West, emailed Rosie Batty and other board members. She wrote:

We do not have any income yet ... I need to speak to Rosie about the bank account ... where personal amounts given to Rosie have been deposited.

West wanted this account closed and wanted the money transferred over. Another director, Annette Gillespie, urged Batty:

... to close that account and transfer any funds to the LBF account.

Eight months later it was still a big problem, with treasurer Anthea West reporting to the board on 25 February 2016 "\$135,000 missing from the amount authorised for CEO". From June 2016, through to its closure in 2018, the foundation did not publish any financial accounts. In just three years, it had 16 different board members, losing nine along the way. It also had a revolving door of staff departures, with many leaving because they found it impossible to work with Ms Batty. The second problem was the constant vicious abuse, harassment and intimidation of female staff. One night, outside of the *Sky News* studio in Macquarie Park, Peter Reith told me that his wife worked there and she said it was impossible. The women hung in for as long as they could out of their natural sympathy for the tragic death of Luke Batty, but no-one could cop it forever. Rosie Batty's personal assistant, Jo Jarman, said:

She did yell, scream and swear, and often put the phone down on me. She always seemed tense and needing to be in control.

When I left, Rosie confessed to me that she had been difficult to handle and at times has been a bitch (her words). There was no apology, just the acknowledgement.

In October 2016 I used that quote anonymously on radio and Batty started a witch-hunt against the whistleblowers—the women who had been victims of her abuse. Later that day, I received an email from Jo Jarman that read:

I have asked Rosie to stop contacting me, but she is still harassing me. If I am contacted by Rosie again, I think I might have to report her for harassment. Funny thing is: If she were a man it would probably have greater repercussions. Oh, the irony.

The Luke Batty Foundation closed in 2018 due to those two problems, especially the second one. If I played a role in that, I am glad I did, as it saved many other well-intentioned, sympathetic women from abuse. There is a syndrome in those circumstances, which is kind of understandable, whereby the abused takes their grief and horror out on others and becomes the abuser. Sadly, that is what happened with Rosie Batty. At a shockingly vulnerable time in her life, she was pushed forward as the figurehead of an anti-male and anti-domestic violence campaign when she was in no condition to handle it. The left feminist activists wrote the speeches and scripted the media events, using Rosie Batty as their mouthpiece against the so-called patriarchy and toxic masculinity. They were more interested in politics than her personal wellbeing.

In reality, the most toxic things were happening at the Luke Batty Foundation—a very, very sad outcome. It suited a lot of people—politicians and media alike—to pretend that Rosie Batty was a saint. If they were serious about stopping the abuse of women, there was a different truth that needed to be spoken. There should have been sympathy for her in her circumstance but also an understanding of how she had been pushed forward in a way that was not handled well and had devastating consequences for other women. It was not without consequences. I am glad I spoke out as that last resort. I know the consequences, and I thought that after the recent comments against me in *The Sydney Morning Herald* it was timely to correct the record.

POLITICAL PARTY VOLUNTEERING

The Hon. PETER PRIMROSE (22:22): When I had the privilege of serving as the Minister for Volunteering, I was amazed by the number of people in our community who freely and generously volunteer their time in a diverse multitude of ways, from sporting activities to community welfare groups, from those providing ongoing support to former members of our armed services and their families, to those who engage in caring for animals and our environment. One of the most profound insights into the broader role of volunteering in society was provided by Richard Titmuss in his 1970 book *The Gift Relationship: From Human Blood to Social Policy*.

Titmuss contrasted the British and Australian system of reliance on voluntary blood donors to the American one, in which the blood supply is largely in the hands of for-profit enterprises. He showed how a no-market system based on altruism is more effective than one that treats human blood as just another commodity. His insights have been replicated many times across many different types of volunteer activity, all of which point to the fundamental role that volunteering has in promoting a more inclusive and caring society, compared to those nations that do not have extensive volunteering as part of their culture.

My reason for raising this tonight relates directly to the recent Federal election. While a miniscule number of people involved in campaigning activities are remunerated, the vast majority who attend planning, policy and campaign meetings, letterbox, make phone calls, doorknock, staff stalls and stand in the rain on pre-polls and polling booths are volunteers. That is the case regardless of the political party or the Independent they are

supporting. In a similar manner to Titmuss's findings, that political gift relationship profoundly influences the nature and culture of politics in our nation and our State.

It is perhaps best reflected when, despite political differences, most volunteer booth workers cooperate and overwhelmingly disdain attempts to disrupt, bully or intimidate any person working on the polling booth. That cultural attitude strengthens our broader polity and makes it more inclusive, more enduring and more effective in resolving policy disputes than political systems based solely on buying staff time and political influence. Regardless of the party or candidate they support, I commend and thank all those volunteers who worked on the Federal election campaign. In particular, I thank the passionate volunteers whom I had the privilege of working with across Greenway, Mitchell, Berowra, Macquarie and, by proxy, New England.

Those include the passionate volunteers from NSW Labor branches across my duty electorates, including the Hills, Hawkesbury, Pennant Hills, Riverstone, North Rocks, Glenwood, Seven Hills, Lalor Park and districts, Toongabbie, Wentworthville, Westmead, Armidale, Moree and Tamworth, along with those true believers and supporters who are not branch members. Many of those dedicated volunteers are people I have worked with on previous Federal, State and other election campaigns.

Our political system also relies on members of our community who make the decision to voluntarily stand as candidates for election, often with no remuneration or expectation of success. The time they spend on the campaign trail is also a political gift that provides our communities with a vast array of candidates of different political persuasions, reflective of the political pluralism that exists in our State and Australia. I express my heartfelt thanks to the Labor candidates who voluntarily stood in the following electorates. They include Benson Koschinski in Berowra, Dilvan Bircan in Mitchell, Laura Hughes in New England, Michelle Rowland in Greenway, and Susan Templeman, MP, in Macquarie. I thank them for their gift of time and passion, which helps to make our nation the best it can be.

TERMINAL ANOREXIA AND EUTHANASIA

The Hon. SUSAN CARTER (10:26): Terminal anorexia is a relatively new term, and one used to label an enduring anorexia from which no recovery is expected and, therefore, can be a reason to authorise euthanasia. In Oregon since 2021 anorexia as an underlying illness has been listed as a diagnosis of patients proceeding to euthanasia. Coloradan health authorities have confirmed that they, too, allow euthanasia for anorexia. While they cannot confirm the number due to patient confidentiality, they indicate that it is a growing category that is often identified as "severe protein calorie malnutrition". In Belgium, 10 per cent of patients euthanised for psychiatric disorders between 2007 and 2011 had the sole diagnosis of an eating disorder.

When did we start giving up on treating and supporting those with eating disorders? When did we start saying that anorexia is incurable, lethal and, therefore, should be a reason for voluntary assisted dying? True, eating disorders have among the highest mortality rates of all mental health conditions and recovery is not always linear or easy to determine. In Australia last year more people died from eating disorders than on our roads. But have we washed our hands of trying to encourage safer driving habits, more prudent speeds or building better roads? If somebody is involved in more than four crashes, do we describe them as a terminal driver? Why have we started to describe some people struggling with anorexia as terminal—so terminal that they would be better off dead and so terminal that their struggle with anorexia justifies euthanasia?

We underfund research into eating disorders. Because of that, we have not developed new treatments and new ways of working with people with anorexia and other eating disorders. But that is not a reason to give up; it is a call to do better. Current figures suggest that we spend about \$2 per person in New South Wales to treat everyone with an eating disorder. That is clearly not enough. We spend much more than \$2 per person addressing the road crash toll. A Brisbane researcher, herself a recovering anorexic, published her thoughts about the diagnosis of terminal anorexia in the *Journal of Eating Disorders* in 2023. As Ms Elwyn observed:

On reading the proposed criteria for 'terminal' [anorexia], I felt a similar maelstrom of emotions that I felt after being repeatedly told I was beyond hope and help before I attempted suicide in hospital. [These included] a profound sense of grief and despair as the belief systems that my [anorexia] was built on felt as though they had been confirmed: my life was worthless, I was alone, and no help would ever come ... But even in the depth of this death wish, I retained an unspoken shred of hope that others could hold out hope for me that somehow my life could still be saved.

...

If my psychologist had oriented themselves toward a diagnosis of terminal [anorexia], my death could have occurred through starvation, suicide [or] perhaps through physician-assisted means ... Instead, through the foundation of trust and our therapeutic relationship, my life was preserved.

...

[I believed] that my life was worth fighting for when others *held hope for recovery for me*.

We need to hold out hope to those with eating disorders. We need to fund research and treatment adequately. And we need to say no to diagnoses of terminal anorexia. It is a hard and often cruel disease but, as the many recovering anorexics in our community know, it need not be terminal. As Ms Elwyn concludes, it is a "transformative experience of having others believe that healing and a life of deep peace and meaning remains possible." We should be providing those within our society struggling with eating disorders the transformative hope of healing, not the dismissal of a terminal label and a fast track to voluntary assisted dying. Healing is possible, but we all need to join hands and work for it. And we start by expressing our conviction that every life has value, every life has worth, every life should be respected and every life should be cherished.

NUCLEAR ENERGY

The Hon. TAYLOR MARTIN (22:31): It is not hard to look through the history of Australian politics for ideas and solutions that took some time to come to fruition. The GST in one form or another was an idea floated by the bureaucracy and by Labor and Liberal politicians for decades before finally being implemented in 2000 by the Howard Government after successive elections during which it was debated. Land for an airport at Badgerys Creek was first purchased in 1986, but it took another 32 years before construction eventually commenced. And, despite the setback last weekend, the time for nuclear power is drawing nearer in this country.

I have said it before in this place and I will say it again: If nuclear power was discovered today, it would be considered the silver bullet to solving climate change. In 2023 the twenty-eighth United Nations Climate Change Conference, COP28, was a historic event for nuclear energy when it was formally specified as one of the solutions to climate change in the first global stocktake of progress toward meeting the goals of the Paris Agreement. COP28 also saw 22 world leaders sign a declaration to make efforts to triple nuclear energy by 2050. That followed analysis by the OECD that found that a tripling of nuclear energy capacity by 2050 would significantly help countries reach their net zero carbon emission targets while creating and maintaining energy security.

The commitment at COP28 was backed by a cross-industry group of large energy users who signed a pledge supporting the goal of at least tripling global nuclear capacity by 2050. It includes companies such as Amazon, Google, Meta and Dow Chemical, to name just a few. It is the first time that major businesses beyond the nuclear sector have come together to publicly back an extensive and concerted expansion of nuclear power to meet increasing global energy demand. They also urge other energy users to support the goal to triple nuclear energy. I do not believe that over the weekend voters made their decision based on the issue of nuclear energy as a priority. There were so many other issues at the front of voters' minds throughout the campaign and on Saturday, including the cost of living and housing affordability, but I leave the post-mortem to others.

My view is that the case for nuclear power as part of our energy mix has made major progress in the past few years. The old argument that nuclear power is dangerous has been demolished, and the previous argument around environmental concerns has turned around 180 degrees. It will actually help us to preserve our environment. Nuclear is now seen as beneficial, so opponents now oppose it on cost and time to deliver. It is only a matter of time before those arguments are also proven to be wrong or outdated here in Australia.

Instead, opponents argue that it would take too long to implement or be too expensive to build. Those arguments have a deadline. In December Helen Cook, the principal of GNE Advisory, said in her submission to the Federal Parliament's Select Committee on Nuclear Energy:

- The Coalition's timeline of first nuclear energy on the grid between 10-12 years, is achievable. Considering our starting position, Australia is one of the best placed countries in the world to move ahead with an expeditious and responsible nuclear energy programme.
- Based on ARPANSA's existing approach to nuclear safety regulation and its experience in licensing and oversight of the OPAL research reactor, ARPANSA could be ready to receive a construction licence application for one or more nuclear reactors within three years of a policy decision to implement a civil nuclear energy programme.

The International Energy Agency projects that global nuclear energy generation will reach an all-time high this year, surpassing the previous record set in 2021. That growth is due to the construction and turning on of new reactors and additional demand from sectors requiring stable, low-emission energy sources. As countries throughout the world work towards tripling nuclear energy output by 2050, that trend will only become more entrenched. Nuclear energy is not a novel idea. The United States has it, France has it and a lot of other countries around the world already have it in different forms and at different levels.

A novel idea is the suggestion that Australia or any other advanced manufacturing economy can obtain all of its energy solely from the weather—from solar and wind. No developed economy has achieved a power system that runs solely off the weather all the time, and we will not be the first to achieve that goal. I hope that the Federal Coalition does not get spooked and throw the baby out with the bathwater regarding nuclear energy as part of a future energy mix, at the very least by eliminating the Federal ban.

WORKERS COMPENSATION

The Hon. ANTHONY D'ADAM (22:37): What does it mean to be Labor? Each day in this place I try to adhere to Labor values, and few issues are more central to the core purpose of Labor than to look after injured workers. The Lang Government's establishment of a workers compensation scheme was a landmark achievement for Labor. We have an obligation to build on that legacy, not diminish it. The purpose of the workers compensation scheme is and must always be to look after injured workers. No-one goes to work expecting to be injured. Workplace injury is preventable, and the obligation rests on employers to make sure all work undertaken on their behalf is done safely, within a safe system of work. That must be the starting point for any reform agenda. Injury prevention is where our primary focus should be.

There is broad agreement that reform of the workers compensation system is required for its long-term sustainability. Unfortunately, the reform agenda being contemplated by the Government appears more directed toward restoring balance to the scheme's finances than to how the scheme works to achieve its core purpose. The Government wants to avoid premium increases, but premiums are a reflection of the risk. If premiums are putting the viability of some businesses in jeopardy then reform needs to be directed at the mechanism for setting premiums so that the risk is spread fairly and sustainably, particularly for smaller businesses.

Employers need to be prevented from underinsuring their workforce, and enforcement action needs to be taken so that those employers, who are freeloading off the system and shifting the burden to the employers who are doing the right thing, are made to pay. Much has been made of the growth in psychological injuries, but the increase in psychological injuries is a global phenomenon. It is reflective of a societal mental health crisis. The solution cannot be attacking the victims through reducing access to benefits and treatment.

More needs to be done to reduce psychological injury. We are at the very start of a journey to improving psychological safety in our workplaces. The development and implementation of the code of practice is a massive step forward, but its full impact is yet to be felt.

While the growth in the number of psychological injury claims is alarming, a key element of the problem is the long duration of these claims and the very low rates of returning to work, but none of the proposals address the driver of these low rates. Reform should expand schemes that encourage businesses to take on injured workers, as often a key obstacle to returning to work is the inability of a worker to safely return to their specific workplace. Similarly, the Government's whole-of-government return to work scheme is not fully operational, and its benefits in terms of returning injured workers to work in another workplace are yet to be fully realised.

A number of stories suggesting that the system is being rorted have appeared in the media. When the Standing Committee on Law and Justice examined the rise in psychological injuries, there was no substantive evidence presented by any stakeholder to suggest that this was an issue. If there are concerns, then proposed reforms should seek to weed out bogus claims. Instead, the Government proposes to block all claims in some categories, regardless of legitimacy.

Defining psychological injuries in legislation oversimplifies complex conditions and may remove occupational stress related claims altogether. This risks excluding workers vulnerable to these hazards from the scheme, particularly in affective work, like nursing and teaching, and other care workers; these jobs are also highly feminised. It will also reduce the incentive for employers to do something about these very real workplace hazards. The proposal to increase the whole-person impairment threshold to 30 per cent is harsh. As most experts agree that the threshold is virtually impossible to reach, almost all claims will be terminated at this point.

The proposed change to shift from a test of "reasonably necessary" to "reasonable and necessary" for medical treatment is also harsh and unnecessary. For many workers, their experience with the scheme is traumatising, often leaving them feeling that they must battle to get appropriate treatment as recommended by their own treating doctors. This change will only place greater obstacles in the way, reduce access to care, and harm recovery outcomes. It also offers little financial benefit to the scheme. I received an email from Amy Nadge from Broken Hill, who summed it up perfectly. She said:

In my own experience the claim process was almost as traumatising as the bullying I suffered at work. When you are feeling at your lowest, it already seems impossible to get back to a sense of normalcy, so any action to reduce the current system would further hurt the people it is supposed to help.

In 2023 I signed a pledge to support injured workers by reforming the workers compensation system. I believe that the Treasurer too signed this pledge. When I signed it, I meant it. I want my party to honour that pledge in both spirit and letter. I know that the Treasurer is grappling with a complex problem. He is one of the Government's brightest lights, but the proposals he has outlined are too harsh, too brutal. They will cause real harm to injured workers and vulnerable workers, and I believe they will also cost lives.

ST FLORIAN'S DAY AWARDS

The Hon. NICHOLE OVERALL (22:41): I acknowledge the courage, dedication and commitment demonstrated by members of the New South Wales Rural Fire Service and, in this instance, those who have been recognised as part of the 2025 St Florian's Day Awards. For those who may not know St Florian's background, I will never miss a chance to slip in a little bit of history. St Florian rose to the rank of commander in the imperial Roman army and led firefighting brigades. His feast day is 4 May. The awards in his name, announced on that day, honour the brave men and women who serve our communities with selflessness and resilience, often in the most challenging of circumstances.

I particularly recognise two outstanding recipients of the Commissioner's Commendation for Service who hail from my neck of the woods, the mighty Monaro: Operational Officer Adrian Butters and Group Captain Anthony Reed. I formally note the details provided for their citations. Operational Officer Butters joined Adaminaby Rural Fire Brigade in 1983. Over 41 years he has exemplified what it means to be a community leader and a dedicated first responder. Rising through the ranks, he became a captain in 2012 and served with distinction until 2019, when he transitioned to a staff role within the Snowy Monaro district. His service record is marked by instances of remarkable leadership and courage.

On 24 July 2015 Officer Butters responded to a devastating house fire at Anglers Reach. Under his steady command, crews managed the rapidly growing fire, provided first aid to two adults and conducted a search for a missing four-year-old child, who was, heartbreakingly, found deceased. In the face of unimaginable pressure and heartache, Officer Butters led his team with composure and strength, prioritising safety and support for his crew in the aftermath.

In addition, on 11 March 2022, he attended a serious motor vehicle accident en route to Cooma. Among the victims was a high school friend of his who sadly did not survive, despite Officer Butters' efforts, which included administering CPR. Despite the emotional toll, he continued to provide support to others at the scene and ensured the welfare of his fellow RFS members. Officer Butters' unwavering dedication to his community over four decades is an inspiration to us all. His ability to remain composed and effective during crisis situations is a testament to his character and commitment to the RFS, as well as the people of Adaminaby and the region. He is a truly deserving recipient of the Commissioner's Commendation for Service.

I also recognise Group Captain Anthony Reed, whose actions on 24 February 2024 exemplified the very essence of community service and heroism. With reference to the details of his citation, at 5.20 p.m. that day Group Captain Reed responded to an emergency call for an unresponsive five-month-old infant in Delegate, New South Wales. With ambulance services more than 75 minutes away, the group captain located the distressed parents and began CPR. Recognising the urgency—and with the help of a member of the public, who drove—he continued administering CPR en route to the nearest medical centre. Thanks to his quick actions and determination, the infant was stabilised and flown to Canberra Hospital in critical condition. I am delighted to report that the child has made a full recovery, which is a testament to Group Captain Reed's decisive intervention.

Astonishingly, Group Captain Reed's night of service did not end there. At around 12.40 a.m. he responded to a vehicle fire at the same address, assisting to extinguish the blaze. Just hours later, at 5.00 a.m., he was again called to the property, this time facing a fully involved structure fire, which he protected, along with nearby exposures. He coordinated with multiple emergency services to bring the fire under control. Group Captain Reed's tireless dedication and selfless response during those critical hours serve as a shining example of the spirit and resilience that define our Rural Fire Service volunteers.

Operational Officer Adrian Butters and Group Captain Anthony Reed remind us of the exceptional calibre of those who serve within our Rural Fire Service. Their courage, leadership and selflessness represent the very best of community spirit and commitment. I congratulate those men on their well-deserved recognition and personally thank them for their service. May their dedication continue to inspire us all to support and acknowledge the incredible work of our RFS volunteers, who stand ready to protect and serve our communities, no matter the challenge.

NORTH SYDNEY BEARS RUGBY LEAGUE CLUB

The Hon. RACHEL MERTON (22:47): Today, 8 May 2025, is a great day in the history of rugby league, with the announcement of the return of the North Sydney Bears to the National Rugby League competition as the Perth Bears. After over a quarter of a century—more than 9,000 days, in fact—in the football wilderness, the return of that proud foundation club to the national league is a wonderful and historic moment in Australian sport and a win for the community. The club faced some dark days after 1999. That did not stop the likes of the wonderful Greg Florimo working tirelessly to bring back the Bears since that time. I acknowledge Greg, club chairman Daniel Dixon, CEO Gareth Holmes and all the Bears fans for never giving up and for keeping the faith.

Bring on 2027. In the meantime, anyone who gets out to North Sydney Oval over the next few weeks will find the Hon. John Ruddick, the member for Willoughby—

The DEPUTY PRESIDENT (The Hon. Emma Hurst): The time for debate has expired. The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:48 until Tuesday 27 May 2025 at 12:30.