

LEGISLATIVE COUNCIL

Tuesday 3 June 2025

The PRESIDENT (The Hon. Benjamin Cameron Franklin) took the chair at 12:30.

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.

Motions

TRIBUTE TO CLIVE DUDDY

The Hon. JEREMY BUCKINGHAM (12:32): I move:

- (1) That this House notes with sadness the passing of Mr Clive Duddy of Rossmar Park, Caroonna, at the age of 94, on 26 May 2025.
- (2) That this House acknowledges that:
 - (a) Mr Duddy led, with his son Tim, the 2008 successful blockade against BHP Billiton's Caroonna coalmine, which was a historic victory;
 - (b) if the mine had gone ahead, it would have irrevocably damaged the prime agricultural land and aquifer structure of the Liverpool Plains; and
 - (c) this was the first of the environmental blockades in the Liverpool Plains and led to also seeing off Shehua, another company with plans for a coalmine in the Liverpool Plains.
- (3) That this House offers its sincerest condolences to Mr Duddy's wife, Patricia; his children, Fiona, Jeffrey, Timothy and Angus; and his grandchildren and great-grandchildren.

Motion agreed to.

YILAAN.GAAL DHINA YOUTH DIVERSION PROGRAM

The Hon. AILEEN MacDONALD (12:33): I move:

- (1) That this House commends the Tamworth Local Aboriginal Land Council, Tamworth Justice Collaborative and local stakeholders for the development and delivery of the Yilaan.gaal Dhina youth diversion program.
- (2) That this House notes that Yilaan.gaal Dhina, meaning "fresh footprints" in the Gamilaraay language, was developed following a police-led community meeting in July 2023, and in partnership with BackTrack Youth Works, with the goal of reducing youth crime and creating real pathways for vulnerable young people.
- (3) That this House acknowledges the program's success in working intensively with five high-risk youths over a 16-week trial, achieving a significant reduction in police interactions, with one participant entering full-time employment, two gaining stable housing and others gaining work skills, life documents and meaningful engagement.
- (4) That this House recognises the program's positive ripple effect on more than 20 young associates whose engagement in crime also dropped during the trial.
- (5) That this House applauds the efforts of Tamworth Local Aboriginal Land Council project officer Joanne Stead and CEO Fiona Snape; the NSW Police Force Youth Command; Reece Scheumack from the Youth Action Meeting; Jocelyn Cockbain from the Tamworth Coalition of Aboriginal Community Controlled Organisations; and the young participants for their role in the program's success.
- (6) That this House encourages further support from all levels of government and the local business community to continue and expand this promising place-based model that empowers young people, strengthens communities and makes Tamworth safer.

Motion agreed to.

PHAROS ALLIANCE NSW STRATEGIC PLAN

The Hon. MARK BUTTIGIEG (12:33): I move:

- (1) That this House notes that:
 - (a) on 20 May 2025, the Pharos Alliance NSW, in partnership with the Greek-Australian Society, released the *Pharos Alliance NSW Strategic Plan*, using the Pharos method to determine ways to preserve and encourage the learning and use of Modern Greek in New South Wales;

- (b) the Pharos framework involves lifting the capacity of the use and access to the Modern Greek language, creating more opportunities for the study and practice of Greek and encouraging more desire among new generations to learn and retain Greek, and is referred to in short as capacity, opportunity and desire;
- (c) Professor Emeritus Joseph Lo Bianco, AM, developed the framework and has used this model in Victoria for several years through the Pharos Alliance Victoria;
- (d) the *Pharos Alliance NSW Strategic Plan* was prepared by Konstantia Zagrimanis and sponsored by the Greek-Australian Society;
- (e) on 15 May 2025, a launch event for the strategic plan was held at New South Wales Parliament, and the Hon. Mark Buttigieg, MLC, was honoured to attend and make a speech at the invitation of the president of Greek-Australian Society, George Mpiokas, who was the master of ceremonies at the event; and
- (f) the launch was well attended by many local community leaders and included speeches from:
 - (i) Mr Ioannis Mallikourtis, the Consul-General of Greece in Sydney;
 - (ii) Mr Murat Dizdar, PSM, the Secretary of the NSW Department of Education;
 - (iii) Professor Emeritus Joseph Lo Bianco, AM, the facilitator of the Pharos Alliance; and
 - (iv) Ms Konstantia Zagrimanis, convenor of the Pharos Alliance NSW.
- (2) That this House further notes that it is absolutely essential for the perpetuation and strengthening of multiculturalism that we do everything in our power to encourage multilingualism, given the integral role language plays in culture and diversity.
- (3) That this House congratulates the Pharos Alliance NSW and the Greek-Australian Society on the launch of the *Pharos Alliance NSW Strategic Plan*, a significant initiative seeking to preserve and encourage the use and study of the beautiful Modern Greek language in New South Wales for many generations to come, that may serve as an exemplar for how we can implement multilingualism across other languages as well.

Motion agreed to.

ANIMAL LAW IN AUSTRALASIA: A QUIET CRISIS

The Hon. EMMA HURST (12:34): I move:

- (1) That this House notes that:
 - (a) on 15 May 2025 the textbook *Animal Law in Australasia: A Quiet Crisis*, edited by Jane Kotzmann and Joanna Kyriakakis, with a foreword by former High Court Justice the Hon. Michael Kirby, AC, was published;
 - (b) the book contains a chapter written by the Hon. Emma Hurst, MLC, and her chief of staff, Tess Vickery, titled *The Politics of Achieving Reforms for Animals*, in which they reflect on their experience advocating for animal protection reforms in New South Wales Parliament; and
 - (c) the book contains contributions from other leading animal law scholars and practitioners on important topics such as legal personhood for animals, efforts to recognise animal sentience, laws surrounding animal activism and the treatment of vulnerable groups of animals, such as farmed animals and introduced animals.
- (2) That this House congratulates all those involved in the publication of *Animal Law in Australasia: A Quiet Crisis*.

Motion agreed to.

RURAL HEALTH PATHWAYS FORUM

The Hon. NICHOLE OVERALL (12:34): I seek leave to amend private members' business item No. 2029 by, in paragraph (a):

- (1) Inserting "for students in years 9 to 12 interested in a career in allied health, nursing, midwifery and Aboriginal health," after "International Convention Centre, Darling Harbour".
- (2) Omitting "policymakers, and community representatives" and inserting instead "health students and recent graduates".

Leave granted.

The Hon. NICHOLE OVERALL: Accordingly, I move:

That this House notes:

- (a) that on Monday 8 September 2025, a Rural Health Pathways Forum will be held at the International Convention Centre, Darling Harbour, for students in years 9 to 12 interested in a career in allied health, nursing, midwifery and Aboriginal health, bringing together health professionals, educators, health students and recent graduates to address the challenges and opportunities in rural and regional healthcare delivery;
- (b) that the forum's focus is on strengthening recruitment, training and retention of health professionals in rural areas through collaborative, place-based models of care and education;
- (c) the importance of developing long-term, sustainable health workforce pipelines that ensure rural and regional communities have equitable access to quality health care; and
- (d) the ongoing efforts of stakeholders across government, health and education sectors working to deliver a coordinated and strategic approach to rural health reform in New South Wales.

Motion agreed to.**AUSTRALIAN AND NEW ZEALAND ASSOCIATION OF BELLRINGERS**

The Hon. NICHOLE OVERALL (12:35): I move:

That this House notes:

- (a) that the Australian and New Zealand Association of Bellringers [ANZAB] was established in 1962 to promote the art of "change-ringing" in the two countries and there are currently around 400 members who ring at more than 70 belltowers throughout Australia and New Zealand;
- (b) that bellringers have developed their own unique form of music, following special patterns called "methods" to make the bells sound in a different order each time they swing, and they can ring for several hours without ever repeating a sequence already rung;
- (c) that the group activity involves teamwork, memory, considerable concentration and physical coordination, though it is not about physical strength;
- (d) that ANZAB's recent 2025 Ringing Festival saw peals rung out at the Anglican St Clement's Yass, with six bells, St Paul's Canberra, with eight bells, and St Saviour's Cathedral Goulburn, with 12 bells; and
- (e) the inclusion of the Hon. Nichole Overall, MLC, at St Clements Yass by participants, including the many young people involved, who are preserving and sharing this historic art.

Motion agreed to.**ANDREW REGAN**

The Hon. SARAH MITCHELL (12:35): On behalf of the Hon. Scott Barrett: I move:

- (1) That this House notes that:
 - (a) Andrew Regan suffered a catastrophic spinal injury in 2022 while playing for the Orange Emus Rugby Club;
 - (b) the now 38-year-old suffered from quadriplegia following the accident and has since spent years in intensive recovery and physiotherapy to regain some of his arm, hand and leg movements, far beyond what doctors initially expected; and
 - (c) Andrew Regan has also helped to establish the Emus Foundation, which raises money for other players who have suffered spinal injuries.
- (2) That this House congratulates:
 - (a) Andrew Regan on returning to the site of his catastrophic injury three years after the event to walk 100 metres, with assistance, to raise \$42,000 for the Emus Foundation, an event that was named "The Flight of the Emu";
 - (b) the hundreds of people who donated and gathered at Endeavour Oval to cheer on Andrew throughout his amazing achievement;
 - (c) his physiotherapy team, including Robert Thorburn and Simon Dowling, who have helped him recover and physically assisted him on the day, along with his long-time carer Carey Burns; and
 - (d) Andrew's family and friends, in particular his wife, Jessie Davies, who have supported Andrew throughout his recovery and helped to organise and prepare for this amazing milestone.
- (3) That this House acknowledges:
 - (a) the incredible grit and determination shown by Andrew Regan and his family in the three years since his accident; and
 - (b) Andrew and everyone else involved in the Emus Foundation, which is a shining example of how important charities and community-run organisations are to the fabric of our regional communities.

Motion agreed to.**PARKES WATER PIPELINE**

The Hon. SARAH MITCHELL (12:36): On behalf of the Hon. Scott Barrett: I move:

- (1) That this House notes that:
 - (a) during catastrophic flooding in 2022, the water pipeline from Lake Endeavour to Parkes in the Central West suffered extensive damage along an eight-kilometre stretch, rendering it inoperable and severely impacting water supply to the town; and
 - (b) this pipeline is a critical piece of infrastructure, serving as a major water source for the community of Parkes and supporting households, businesses and local industry.
- (2) That this House recognises that:
 - (a) current Disaster Recovery Funding Arrangements with the Commonwealth Government are overly prescriptive, excluding essential water infrastructure from eligibility on the basis that it is classified as a profit-making utility, despite the reality that most regional water utilities operate at a loss and are an essential service;

- (b) in 2022 the former Government allocated \$145 million to rebuild similar water infrastructure assets in the Northern Rivers, acknowledging the critical importance of such assets to regional communities; and
 - (c) the ongoing exclusion of regional water utilities from Disaster Recovery Funding Arrangements places an unfair burden on regional councils and threatens water security across the State.
- (3) That this House calls on the Government to:
- (a) urgently lobby the Federal Government to amend the Disaster Recovery Funding Arrangements so that critical water infrastructure is eligible for support following natural disasters; and
 - (b) commit emergency funding in the upcoming State budget to restore and futureproof the Lake Endeavour pipeline and ensure water security for the Central West town.

Motion agreed to.

LAKE CARGELLIGO SEWAGE TREATMENT PLANT

The Hon. SARAH MITCHELL (12:36): On behalf of the Hon. Scott Barrett: I move:

- (1) That this House notes that during catastrophic flooding in 2022, the Lake Cargelligo sewage treatment plant suffered extensive damage, putting an enormous burden on the Lachlan Shire Council's budget.
- (2) That this House recognises that:
 - (a) the current Disaster Recovery Funding Arrangements with the Commonwealth Government are overly prescriptive, excluding essential sewerage infrastructure from eligibility on the basis that it is classified as a profit-making utility, despite the reality that most regional sewage plants operate at a loss and are an essential service; and
 - (b) the ongoing exclusion of regional water and sewerage assets from Disaster Recovery Funding Arrangements places an unfair burden on regional councils and threatens water security and local government viability across the State.
- (3) That this House calls on the Government to:
 - (a) urgently lobby the Federal Government to amend the Disaster Recovery Funding Arrangements so that critical sewerage infrastructure is eligible for support following natural disasters; and
 - (b) commit emergency funding in the upcoming State budget to restore and futureproof the Lake Cargelligo sewage treatment plant.

Motion agreed to.

SEXUAL VIOLENCE

Ms ABIGAIL BOYD (12:37): I move:

- (1) That this House notes that:
 - (a) on Wednesday 23 April 2025, the NSW Bureau of Crime Statistics and Research [BOCSAR] released a report examining the proportion of recorded crimes that result in an offender being charged by the NSW Police Force;
 - (b) the report examined 11 major offence categories using data extracted from the NSW Police Force's Computerised Operational Policing System [COPS] for incidents reported between 2009 and 2023, including the total number of incidents reported, the number of persons of interest legally proceeded against, and the percentage of incidents where police commenced legal action against at least one person within 90 days of reporting; and
 - (c) according to the BOCSAR report:
 - (i) the number of domestic violence related assault incidents recorded in COPS increased by 37.8 per cent from 26,265 incidents in 2009 to 36,199 in 2023, while the 90-day legal action rate for these incidents increased by 6.5 per cent from 60 per cent to 66.5 per cent;
 - (ii) the number of sexual touching, sexual acts and other sexual offence incidents recorded in COPS increased by 52.6 per cent from 5,286 incidents in 2009 to 8,064 in 2023, while the 90-day legal action rate for these incidents increased by 2 per cent from 18.3 per cent to 20.3 per cent;
 - (iii) the number of sexual assault incidents recorded in COPS increased by 120.2 per cent from 4,483 incidents in 2009 to 9,873 in 2023, while the 90-day legal action rate for these incidents declined by 3.4 per cent from 10.2 per cent to 6.9 per cent; and
 - (iv) of the 11 offences examined, sexual assault was the only offence category that saw a significant decline in the 90-day legal action rate in 2023 compared with 2009, a decline which is apparent even when the observation period is extended to 180 days.
- (2) That this House further notes that:
 - (a) sexual assault is the least likely violent crime to be reported, investigated, prosecuted and convicted, and victim-survivors are continuously faced with significant obstacles across nearly every stage of the justice system; and
 - (b) according to a BOCSAR report published in May 2024 regarding attrition of sexual assaults from the New South Wales criminal justice system:

- (i) many sexual assaults go unreported, for varying reasons including victims not believing the abuse is a crime, feeling embarrassment or shame, blaming themselves for the violence, fearing being judged and lacking trust in the police;
 - (ii) only a small proportion of reported sexual assault incidents result in the commencement of criminal proceedings, and even fewer result in a criminal conviction;
 - (iii) the largest point of attrition of sexual assaults is seen during the police investigation stage, with no legal action taken by police against an accused in 85 per cent of reported sexual assault incidents in 2022;
 - (iv) the COPS database contains limited information on the reasons why police do not commence legal proceedings in sexual assault matters, with three-quarters of all sexual assault incidents where no formal action was taken having no reason recorded by police; and
 - (v) any attempts to increase conviction rates for sexual assault should clearly focus efforts on the reporting and investigation phases, given the high proportion of matters that fail to progress beyond this point, specifically focusing on the strengthening of cases in the early stages through improved evidence gathering, and ensuring that detailed information about police and prosecutorial decisions is routinely recorded for all sexual assault matters that fail to progress through the system.
- (3) That this House calls on the Government to take urgent action to prioritise sexual violence prevention and response, including by investing in services and programs that support victim-survivors to access recovery and justice options, exercise their rights and navigate the justice system.

Motion agreed to.

TRIBUTE TO DAVID ABERDEEN HAY, MBE, FORMER MEMBER FOR MANLY AND MINISTER OF THE CROWN

The Hon. NATALIE WARD (12:37): I move:

- (1) That this House notes:
- (a) with sadness the passing of David Aberdeen Hay, MBE, on 10 May 2025 at the age of 91;
 - (b) David Hay's lifelong dedication to the Manly community where he was born, raised and remained a steadfast public servant throughout his life;
 - (c) his distinguished public service, included serving:
 - (i) in the Australian Military as a RAAF pilot;
 - (ii) on the Manly Municipal Council for 23 years from 1960 to 1984;
 - (iii) six terms as Mayor of Manly;
 - (iv) eight terms as deputy mayor;
 - (v) as the member for Manly in the New South Wales Parliament for seven years from 1984 to 1991;
 - (vi) as Minister for Local Government and Minister for Planning from 1988 to 1991; and
 - (vii) as chair of the State Local Government Grants Commission.
 - (d) Mr David Hay's critical role in establishing the Manly Rotary Club, Manly Life Saving Club, Royal Far West Children's Service, re-establishing the City of Sydney as a local government body, amending council rating laws and restructuring the management of Darling Harbour;
 - (e) his significant service to the northern beaches community; and
 - (f) David Aberdeen Hay, MBE, is survived by his beloved family, his wife, Jean Hay, AM, the last Mayor of Manly, their three children, Virginia, Gretal and David "Buff", and their five grandchildren, Gemma, Lucy, Tom, Annabel and Maximus.
- (2) That this House recognises David Hay's legacy of service in New South Wales and that his integrity and humility will remain an enduring part of the fabric of Manly and the New South Wales Parliament.

Motion agreed to.

Business of the House

WITHDRAWAL OF BUSINESS

The PRESIDENT: I inform the House that the Hon. Natasha Maclaren-Jones has withdrawn the formal business request regarding private members' business item No. 2042, standing in her name, relating to 2025 NSW Top Tourism Town Awards for Robertson.

*Documents***INSPECTOR OF CUSTODIAL SERVICES****Reports**

The PRESIDENT: According to the Inspector of Custodial Services Act 2012, I table a report of the Inspector of Custodial Services entitled *Inspection of the Residential Facilities and the Compulsory Drug Treatment Correctional Centre 2024*, dated June 2025, received out of session and made public on 2 June 2025.

*Committees***LEGISLATION REVIEW COMMITTEE****Reports**

The Hon. CAMERON MURPHY: I table the report of the Legislation Review Committee entitled *Legislation Review Digest No. 31/58*, dated 3 June 2025.

DELEGATED LEGISLATION COMMITTEE**Reports**

Ms ABIGAIL BOYD: I table the report of the Delegated Legislation Committee entitled *Delegated Legislation Monitor No. 7 of 2025*, dated 3 June 2025.

SELECTION OF BILLS COMMITTEE**Reports**

The Hon. BOB NANVA: I table report No. 34 of the Selection of Bills Committee, dated 3 June 2025. According to standing order, I move:

That the following bills not be referred to a standing committee for inquiry and report, this day:

- (a) Children's Guardian Amendment Bill 2025;
- (b) Conveyancing and Real Property Amendment Bill 2025;
- (c) Evidence (Audio and Audio Visual Links) Amendment (Local Court Bail Division) Bill 2025;
- (d) Game and Feral Animal Legislation Amendment (Conservation Hunting) Bill 2025;
- (e) Industrial Relations and Other Legislation Amendment (Workplace Protections) Bill 2025;
- (f) Road Transport Amendment (Medicinal Cannabis-Exemptions from Offences) Bill 2025; and
- (g) Workers Compensation Legislation Amendment Bill 2025.

Motion agreed to.

*Documents***COMMUNITY JUSTICE CENTRES****Return to Order**

The CLERK: According to the resolution of the House of Wednesday 7 May 2025, as varied on Tuesday 27 May 2025, I table a return received on Friday 30 May 2025 from The Cabinet Office, together with an indexed list of documents subject to a claim of personal information.

LOCAL SMALL COMMITMENTS ALLOCATION**Further Return to Order**

The CLERK: According to the resolutions of the House of Wednesday 7 May 2025 and Thursday 29 May 2025, I table:

- (a) a return received on Monday 2 June 2025 from The Cabinet Office, together with an indexed list of documents;
- (b) a return received on Monday 2 June 2025 from The Cabinet Office of documents subject to a claim of privilege;
- (c) a return received on Monday 2 June 2025 from The Cabinet Office of documents subject to a claim of personal information;
- (d) a return received on Tuesday 3 June 2025 from The Cabinet Office, together with an indexed list of documents;
- (e) a return received on Tuesday 3 June 2025 from The Cabinet Office of documents subject to a claim of privilege; and
- (f) a return received on Tuesday 3 June 2025 from The Cabinet Office of documents subject to a claim of personal information.

*Visitors***VISITORS**

The PRESIDENT: I welcome to the public gallery Vincent Lim from the Hong Kong Chamber of Commerce, who is visiting Parliament House for the Differently Abled People Association's art exhibition by Chinese artists, which is in the Fountain Court. He is very welcome here today.

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

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

The Hon. DAMIEN TUDEHOPE (13:30): My question is directed to the Special Minister of State. Back again, John! After being advised by Cherie Burton on 20 October 2023 that the member for Sydney had been involved in nominating which organisations in his electorate would get Local Small Commitments Allocation funding, the LSCA Program Office quarantined, "pending review", these Sydney projects. On 29 November 2023 the projects were removed from quarantine in response to the Premier's office requesting the LSCA Program Office to "progress the Sydney electorate projects as a priority". Why were the Sydney electorate projects prioritised?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:31): I thank the Leader of the Opposition for the question. This is another set of questions about these projects, all of which have been answered up to now. The things I can place on record are the things I have been very clear about in the House. These projects came up. There were corrections to the list made. Once I was satisfied that the projects were in accordance with the guidelines, I was able to sign them off. The briefs were the basis of those decisions. I am confident that they were within the guidelines. The Leader of the Opposition's questions about the member for Sydney are a matter for him, but the briefs make it clear these were within the guidelines. As to how the projects were prioritised, that is a matter for the program office. I believe there are 642 of these projects. They have rolled through multiple briefs, and I have examined each of them. These are good projects, and they were supported on that basis.

The Hon. DAMIEN TUDEHOPE (13:32): I ask a supplementary question. At the same time that the Premier's office intervened to prioritise the Sydney projects, LSCA Program Office documents also note, "The Special Minister of State has requested the four Sydney projects to be progressed through for tranche 7." Why did the Minister request for the four Sydney projects to be removed from quarantine pending a conflict of interest review when the review had not yet taken place?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:33): My answers on this remain consistent. I have detailed to the House the process that I went through. I cannot answer for the program office. It is certainly possible that my office asked that these projects, along with other projects, be brought through, but I have dealt with these in the way I have described. Those answers remain consistent.

The PRESIDENT: I welcome to the gallery Surayya Khan, a year 10 student from Hurlstone Agricultural High School undertaking work experience in the office of the Hon. Stephen Lawrence this week. I also acknowledge and congratulate Sam Tedeschi, who got engaged this weekend. I wish him, and most particularly his fiancée, all the best for the future.

RAIL WORKERS ENTERPRISE AGREEMENT

The Hon. MARK BUTTIGIEG (13:34): My question without notice is addressed to the Minister for Transport. Will the Minister update the House on the current status of rail negotiations and outline the potential benefits for commuters?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:35): I thank the member for his question. Late last Friday the New South Wales Government reached an in-principle agreement with the Combined Rail Unions in the Fair Work Commission, including its support to take it to members for a vote. This holds out hope for an end to disruption for commuters and an investment in reliability from the Government. I want to be very clear to the House that this was a success born out of failure. I refer to the failure of the network after the 1,500-watt cable at Strathfield threw the network into chaos for more than 30 hours on Tuesday 20 May. At 8.05 a.m. on that Wednesday, just as the first trains were starting to roll again after power had been restored, a pre-programmed meeting with the Combined Rail Unions was occurring at 52 Martin Place. The situation and the impact on commuters weighed heavily on everyone in the meeting.

It was a breakthrough meeting, during which it became clear that unions were prepared to work to solve this dispute. The Government has always been committed to fair, modern and sustainable wages for essential workers, but we have been clear that we cannot do it at any cost. Initially, the Combined Rail Unions was calling for a 32 per cent pay rise over four years. This agreement will deliver a 12 per cent pay rise over three years plus back pay and key conditions to rail workers. For commuters, it will allow for a range of solutions that otherwise would not exist, including solutions that could have improved the situation on the network. We lost not only the Wednesday a.m. peak but also the Wednesday p.m. peak, because trains and crews were dispersed across the network. Paper systems and phone calls were used to move crews around, as directed by the central operations centre.

This agreement will allow for a new digital disruption management system, allowing crews to be instantly assigned to where they need to get to. The hope for commuters is that this could make a real difference when there are disruptions on the network. The agreement will also streamline consultation processes. The previous agreement, signed off by members opposite, would allow consultation to roll on for years and years without a result. The Government has moved to close the final per cent that we were apart. The negotiation has taken a long time. Members are aware that we are working through the one remaining issue with the Electrical Trades Union with the assistance of the Fair Work Commission. Those discussions continue, but the Government is hopeful that this agreement will move to a vote. We have agreed to the Fair Work Commission recommendation that will clear the way for a vote of union members.

The PRESIDENT: I welcome to the Parliament students from Penrith Christian School, who are participating in the Legal Studies and the Legislature program conducted by the Parliamentary Education and Engagement team. You are all very welcome to question time today.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (13:38): My question is directed to the Special Minister of State. Despite having been positively assessed and recommended to the Minister for approval, the Rough Edges project of St John's Community Services received no funding from the Local Small Commitments Allocation. Was this because of funding constraints within the Local Small Commitments Allocation program?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:38): I thank the honourable member for her question. I understand this was one of the projects that was subject to corrections on the list. Therefore, it was not funded out of this program. As to the reasoning for that, I refer the member to the briefs or to the correspondence that the Government has provided. That information has been made public.

The Hon. SARAH MITCHELL (13:39): I ask a supplementary question. Will the Minister elucidate the part of his answer about corrections that were made to certain projects and what was in the brief? Will the Minister also advise why the Premier stated in a signed letter to St John's dated 29 February, "I have been advised that your organisation has made a submission for a Local Small Commitments Allocation grant of \$30,000. Unfortunately, funding constraints within this program mean that this grant cannot be approved." Was the Premier correct?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:39): I thank the Hon. Sarah Mitchell for her question. I do not have the benefit of having the letter in front of me, but the Premier would have been entirely correct that the constraints within the program, the funding guidelines and the way the list was corrected would not have allowed for that. I do not have the letter in front of me, but the Premier has been up-front about the way he has dealt with the matter. I have taken members through those individual projects. Members opposite have asked questions about a handful of projects in the electorate of Sydney that were recommended multiple times on the basis of the benefit they would deliver to the community. The grants go to homelessness services in the electorate of Sydney. As members opposite continue to work through those minor details, I tell them who was not worried about the minor details when it came to grant guidelines: former Deputy Premier John Barilaro.

The Hon. Damien Tudehope: Point of order—

The PRESIDENT: An entirely anticipated point of order from the Hon. Damien Tudehope.

The Hon. Damien Tudehope: I take the anticipated point of order.

The PRESIDENT: I uphold the anticipated point of order. The Hon. John Graham has the call.

The Hon. JOHN GRAHAM: The Hon. Damien Tudehope still has to take his point of order.

The PRESIDENT: To be clear, the Minister was straying into territory outside the direct relevance of the question.

The Hon. JOHN GRAHAM: Members opposite may wish to quiz the Premier about the matter, and I welcome them doing that. I have taken members opposite through each of the steps for that handful of projects out of more than 640 projects. Goodness me, if members opposite could go back and see what went on under the former Government. If Opposition members could recall back that far, they would be apoplectic about what went on then.

The Hon. Sarah Mitchell: Point of order—

The PRESIDENT: The Minister has concluded his answer, but I will hear the point of order if it is relevant.

The Hon. Sarah Mitchell: I want the Minister to verify whether it was funding constraints or a correction. It was not clear from his answer, and it cannot be both. Does the Minister want to provide that?

The PRESIDENT: The Minister has concluded his answer. I call the Hon. Jeremy Buckingham.

INSTITUTIONAL CHILD SEXUAL ABUSE

The Hon. JEREMY BUCKINGHAM (13:42): My question without notice is directed to the Treasurer, representing the Attorney General. Following the High Court of Australia decision in *Bird v DP* [2024], the Victorian Government committed to working towards reform of the law "apace". Will the New South Wales Government commit to working towards legal reform in this State to protect the rights of victims of institutional child sexual abuse?

The Hon. DANIEL MOOKHEY (Treasurer) (13:42): I thank the Hon. Jeremy Buckingham for his question and ongoing interest in the matter, and for his persistent vigilance in ensuring that the law of New South Wales remains fit for purpose when it comes to the treatment of victims of institutional child sex abuse. I am advised that there have been a number of High Court decisions relevant to the rights of victims of institutional child sex abuse. *Bird v DP* considered the vicarious liability of organisations for the abuse by individuals that are akin to employees of the organisation. I note that on 13 November 2024 the High Court found that a relationship of employment has always been a necessary precursor to a finding of vicarious liability in Australia and that there is no solid foundation for the expansion of the doctrine to relationships that are merely akin to employment. The court observed that the reformulation of the law of vicarious liability is a matter for the Legislature.

I understand that the Victorian Government is responding, particularly to questions about whether clergy are akin to employees. The New South Wales Government is closely monitoring the implications of those High Court decisions, including developments in other jurisdictions. I confirm to the member that the Standing Council of Attorneys-General met to discuss the implications of the High Court decision in *Bird v DP* and agreed to consider potential national reform options. New South Wales has implemented a range of reforms to respond to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, including introducing new offences and improving the ability for victims to seek justice and compensation through the courts, such as by removing the limitation period for historical child abuse claims.

As I have mentioned to the member previously, I am advised that the royal commission explicitly recommended that those changes be made prospectively only. Furthermore, in 2018 the previous Government amended the Civil Liability Act 2002 to prospectively extend the common law of vicarious liability so that it applies not only to employees but also to those akin to employees, such as clergy and volunteers. The Government also introduced a prospective statutory duty on certain organisations to take reasonable steps to prevent child abuse, with a reverse onus of proof. At this time I can confirm that the New South Wales Government is weighing the implications of any potential reform and closely monitoring any legislative developments in other jurisdictions, like Victoria.

VICTIMS SUPPORT PACKAGE

The Hon. EMILY SUVAAL (13:45): My question without notice is addressed to the Treasurer, in his capacity representing the Attorney General. Will the Treasurer outline how the Minns Labor Government's third budget will support victim-survivors and build a safer New South Wales?

The Hon. DANIEL MOOKHEY (Treasurer) (13:46): I thank the member for her question and ongoing interest in the matter. I am very pleased to report to the House that the Minns Labor Government will invest half a billion dollars in additional funding as part of a justice system package to support victim-survivors and build a safer New South Wales. In fact, the 2025-26 budget will include an additional \$227 million over five years for the Victims Support Scheme. That service helps victim-survivors of violent crime and their family members to access counselling and financial assistance, including help with funeral expenses and medical expenses. Importantly, that funding will also assist victim-survivors of domestic violence. This is about building a safer New South Wales and better protecting victim-survivors.

In addition, the Government will provide \$49.4 million to develop a support service hub for victim-survivors who are involved in legal proceedings. That funding is part of our commitment to provide an additional 15 new courtrooms in the Downing Centre and John Madison Tower, which will be renovated. The Office of the Director of Public Prosecutions will receive \$48.3 million to fund additional solicitors, allowing for more prosecutions, especially of historical child sex abuse claims. Another \$12.8 million will be provided to help reduce stress and trauma for child complainants and witnesses in sexual offence proceedings. In addition, the Government will provide Corrective Services NSW an additional \$100.5 million to address the rising demand in the correctional system, especially in the wake of changes that were made after the sad death of Ms Molly Ticehurst.

That funding is part of the Government's plan to build far more resilience in all parts of our justice system, including the court system, the prosecutorial system and the custodial system. In addition, this builds on the work the Government did last year, especially under its landmark commitment to provide \$5.1 billion of investment in social and affordable housing. Half of that was for victim-survivors, including women and children who are fleeing domestic and family violence, so they have a safe place to go. Of course there is a lot more work to do in this space. Investment is required to support victims, prevent crime and modernise our court system to cope with demand.

The Government has invested in the bricks and mortar of the justice system. In particular, I am very pleased that for the first time we have invested in the actual infrastructure of the courts. There are now more courts so people can access justice quicker, whether they must appear before a court on trial or whether they are a complainant. There is more work to do on those matters, but the Government is pleased to have invested that half a billion dollars.

MENTAL HEALTH SERVICES

Dr AMANDA COHN (13:49): My question is directed to the Minister for Mental Health. In New South Wales, police are still frequently inappropriately tasked with primary response to mental health emergencies. This has had tragic and fatal consequences. The Government has previously committed to moving towards a Health-led response to mental health emergencies, and the parliamentary inquiry that I chaired examined in detail successful models like the Mental Health Co-Responder program in South Australia. The Australian Paramedics Association [APA] has criticised the Mental Health Clinician Responder Team trial as an inappropriate use of limited special operations paramedics. Why is the Government trialling a new model rather than expanding the successful Mental Health Acute Assessment Team model, which has already been successfully trialled in Western Sydney, or replicating successful models from other States?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (13:49): I thank the member for her question. I am aware of her ongoing advocacy in exploring the way that we respond to mental health crises with our first responders. I share that interest area, and I reassure the member that that interest is also shared by the Minister for Police and Counter-terrorism, and the Minister for Health. They recognise the fundamental validity of her point that the way in which we currently respond to those crises is not in the interests of consumers, their families or, indeed, the first responders. We also recognise that the parliamentary inquiry recommended that we adopt new models. I can update the member that that work is underway within government, and co-policy development between the mental health branch, NSW Ambulance and the New South Wales police has been progressing to explore what an alternative model might look like.

That has not currently been the subject of community consultation and consultation with people with lived experience. I recognise that that needs to occur, and I give the member a commitment that we will look to progress those conversations with the community in coming months. In response to the specific program that the member mentioned, that was an initiative that Ambulance promoted. It was the subject of dialogue with relevant trade unions—including the Health Services Union [HSU], the APA and the NSW Nurses and Midwives' Association. I understand that, initially, the nurses and midwives raised some issues, which were resolved, and both the Nurses and Midwives' Association and the HSU are comfortable with that trial going ahead. It is a limited trial, and it sits alongside other work that other districts are trying. The Hunter New England Local Health District [LHD] has particular programs, and the member also noted that Western Sydney LHD has particular programs.

None of programs represent, exactly, the policy framework that we are committed to adopting. They represent proof points that we want to try something different. As we are doing the policy development work within government, districts are working locally to try different models, such as virtual co-responder models, while 25 police districts have Police, Ambulance, Clinical, Early, Response in place. That model is already being tried and tested. The example that the member mentioned is merely another one of those. It is not a definitive policy response or something that we are necessarily committed to adopting in full. It is an effort at a local level for police, Ambulance and mental health responders to work together and try different models. It was the subject

of negotiation with industrial unions at the local level. I understand that they are, by and large, supportive of it going ahead as a trial to inform the broader policy framework.

ELECTRIC BUS PROCUREMENT

The Hon. NATALIE WARD (13:52): My question is directed to the Minister for Transport. The Minister previously stated that the local content of the 319 electric buses recently ordered by Transport for NSW ranges from approximately 30 per cent to over 60 per cent. What was the specific percentage of local content of the first 15 buses shipped, complete with red ribbons, from China to Nowra?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:53): The funny thing about the Opposition asking this question is that it is absolutely opposed to this local procurement policy—a point that was made by my ministerial colleague the Hon. Courtney Houssos. That has to be the starting point: Members opposite hate the policy that we are trying. It is the opposite of what they were up to in government. That point, of course, was made by the Hon. Sam Faraway, RIP, when he said, "I do not think commuters in New South Wales care about where they were built." That was the attitude of the Coalition. That was also the view of former Premier Gladys Berejiklian.

The Hon. Natalie Ward: Point of order—

The PRESIDENT: Order! I was not able to hear the last 10 seconds of the Minister's answer because of the hubbub. I would like to hear the next 10 seconds. If the Deputy Leader of the Liberal Party would like to take a point of order then, she is welcome to do so. The Minister has the call.

The Hon. JOHN GRAHAM: That is the starting point, but it is not the end of the answer. In terms of the buses that are coming in, we are starting from zero—in fact, less than zero, which is what we were left by those opposite.

The Hon. Natalie Ward: Point of order: I believe I waited longer than 10 seconds. My question was not related to the previous Government, nor was it related to other members and their thoughts. I ask that the Minister address the question, which asked about the specific percentage of local content of the first 15 buses shipped. I have been carefully listening and so far he has not answered it.

The PRESIDENT: The Minister was heading directly towards that answer, and I look forward to hearing it. The Minister has the call.

The Hon. JOHN GRAHAM: Let me give some details about the internal assembly of works being done: assembling the seats, installing the CCTV and fire safety systems, wiring, installing of Opal readers and vehicle tracking technology, and telematics. Some 500 people have applied for the first 15 of these skilled jobs. Some of the local firms that are benefiting include John K. Engineering, Nowra, providing engineering and fabrication works; Lee Sandstrom, Nowra, providing auto-electrical works, including system installation; Mark Burton, Nowra, providing local quality assurance inspections; and Nowra Signs, providing signage and decals for buses. This policy is popular down in Nowra; I have been down there to talk to people about it. Of course, we will build up from here. The first 15 workers are working on the first 15 buses, and it will build up. We are working from zero—in fact, worse than zero. Those opposite hated this. They were opposed to this. Every time they bought a bus overseas, it was champagne and party poppers. We are turning that around.

The PRESIDENT: Order! The Clerk will stop the clock. The Minister will resume his seat. I understand that members are enthusiastic to be back, but there is too much audible conversation in the Chamber. We have to dial it back. The students from Penrith Christian School must be able to hear answers to questions, along with Hansard. The Minister has the call.

The Hon. JOHN GRAHAM: It takes a bit of time, after the mess that those opposite left us. That is what we are working on. It will get better and better. We are lifting the effort, as the first 15 locals work on the first 15 buses.

The Hon. NATALIE WARD (13:57): I ask a supplementary question. I thank the Minister for some part of his answer, but I ask him to elucidate about the specific local content. Noting that, in calculating the percentage of local content, suppliers are instructed by Transport for NSW to include any mark-up on the price they pay to the foreign supplier when they on-sell to the New South Wales Government, how much of Foton Mobility's local content percentage is just mark-up?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (13:58): Let me make clear that the Foton local content is a lot higher than anything the former Government backed. Our 50 per cent target is a lot higher than anything

members opposite would even want to achieve or could have ever achieved. The 1,400 jobs we will develop are 1,400 more than the other side ever would have delivered. These first 15 jobs—

The Hon. Wes Fang: Point of order: I do not like that the Minister is not answering the question. The Minister is not being directly relevant.

The PRESIDENT: I make two points. The first is that the Hon. Wes Fang—and, in fact, any member—would more likely be successful with his point of order had he not been consistently screaming across the Chamber for the preceding 29 minutes. The second is that there is no point of order. The Minister is being directly relevant. The Minister has the call.

The Hon. JOHN GRAHAM: The 50 articulated buses that the Government has just bought to get to the northern beaches are 50 more than those opposite bought in 12 years in government. Honestly, the charge is just ridiculous coming from those opposite. That is what we are dealing with. Those opposite want us to stop this program of local manufacturing. They want us to stop those buses getting to where they are going. Let me tell members where they are going.

The Hon. Natalie Ward: Point of order: Mr President, I have listened very carefully to the Minister's answer. I ask that you draw him back to my very specific and genuine question about the specific local content of the first 15 buses shifted. It was not about the northern beaches or the previous Government.

The PRESIDENT: The Hon. Natalie Ward will not make debating points. However, she is quite right. The Minister is now straying well beyond the remit of the question. The Minister has the call.

The Hon. JOHN GRAHAM: I make the central point that, of course, the Government has real ambitions that are matched by the locals. They are very excited about this. Over recent months when I went to see the site and talked to some of the people who will be involved in the work, they were very excited. The central point is that the content in the buses, however you count it—

The PRESIDENT: The Minister will resume his seat. The Clerk will stop the clock. Question time is not an opportunity to make jokes and try to prove who is the more infantile, which is what the Hon. Wes Fang and the Hon. Scott Farlow are doing today. I call the Hon. Wes Fang to order for the first time. I call the Hon. Scott Farlow to order for the first time. The Minister has the call.

The Hon. JOHN GRAHAM: The shadow Minister has raised some detailed questions that the Government has been happy to respond to, including at estimates. The point is that the Government has to start somewhere. Opposition members left us at zero and we are going upwards as fast as we can. It is a tough job to do.

The Hon. Natalie Ward: Point of order: I recognise that seven seconds are left but, in the time that has been allocated, the Minister has not in any way addressed the local content percentage of mark-up, which was the question asked of him. I ask that the Minister be directed to specifically address my question—or in some way, even obliquely—in the remaining seven seconds: How much of Foton Mobility's local content percentage is just mark-up?

The PRESIDENT: I cannot direct the Minister to answer a question in the specific way that the Opposition or, in fact, any member would like. All I can do is make sure that he is being directly relevant. He is certainly pushing the envelope at this point. Having said that, he is currently being directly relevant. The Minister has the call.

The Hon. JOHN GRAHAM: I have concluded my answer.

Ms CATE FAEHRMANN (14:02): I ask a second supplementary question. When the Government announced in January that it was building buses in Nowra, was it advised to perhaps call it "fitting out" buses instead of "building" buses?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (14:02): I thank the member for her question. As usual, the crossbench is being far more precise—

The Hon. Daniel Mookhey: Vigilant.

The Hon. JOHN GRAHAM: They have been vigilant and far more precise than Opposition members sometimes are. In answer to the member's question, I do not know because I was not at the press conference. I would not have received that advice. But I make the very serious point that I am really grateful to the Government, the former Minister and the Premier for putting a stake in the ground to say that we are going to drive this change. Without that, nothing would happen. This is a really difficult change to drive through the system.

It requires working with a diverse range of manufacturers. It is a complex logistics system. In opposition, and since coming to government, we have said, "We are putting a stake in the ground here. We are going to change this." That will happen, but I am not going to pretend it is going to be easy. We are up-front with members about that. I thank the member for her question.

The reaction from the locals has been fantastic, despite all the questions and issues that the Opposition has raised, including the Leader of the Opposition. Some of those are deeply felt. His call to stop using any battery with lithium in it—any mobile phone battery or any computer battery containing lithium—is slightly mad and he got slightly carried away, but I know some of that is deeply felt. After all those questions, the locals are 110 per cent onboard for this change, and the Government is going to back them.

HOUSING SUPPLY

The Hon. GREG DONNELLY (14:04): My question without notice is addressed to the Minister for Housing. Will the Minister update the House on how the New South Wales Government is working with the Federal Government's new housing agenda?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:04): I am delighted to give the House an update on the work the Government is doing with the Commonwealth to ensure that New South Wales is confronting the housing crisis. It is obviously a top priority for our Government. I am pleased to have a Federal Government that shares that enthusiasm. Sadly, the enthusiasm that this Government and the Federal Government have for delivering new homes is not shared by the new Federal shadow housing Minister, who described the programs the State has with the Federal Government to build desperately needed social and affordable homes in New South Wales as "one of the craziest ideas I've ever heard" and said he would oppose them.

He needs to get out more if he thinks that about the Commonwealth funding the building of desperately needed homes. I give the Commonwealth Government credit. The State Government put its own \$5.1 billion into the kitty to build new homes but welcomes the contributions from the Commonwealth under the Social Housing Accelerator and the Housing Australia Future Fund. They are two Commonwealth-funded schemes providing grant funding directly to the New South Wales Government and its community housing partners to build thousands of homes. Senator Bragg says that the new Federal Opposition will oppose the programs. He should talk to the hundreds, soon to be thousands, of people living in those homes right now and look them in the eye and say, "I think the funding that has been delivered to build you a home is crazy and we oppose it." That is absolute madness.

The senator and I actually do agree on something. He expressed his disappointment that the Rosehill proposal was not to proceed. He said he was very disappointed with that and took a swipe at the New South Wales Government. The New South Wales Liberal senator may have missed the memo that the New South Wales Liberals did not share his enthusiasm for that project and our Government's enthusiasm for that project. They showed a distinct lack of enthusiasm for it and did everything to oppose it, frustrate it and slow it down. Sadly, the Liberal Party's senator for New South Wales and Federal housing spokesperson did not receive the memo. In fact, he threatened to withhold GST funding from the State. There is quite a bit of policy incoherence in the Liberal Party.

The PRESIDENT: Order! There are too many interjections. Members will come to order.

The Hon. ROSE JACKSON: I do not know what the agenda is that describes delivering funding for social and affordable housing as a crazy policy idea and yet whacks the State for trying ambitiously to deliver new homes under a policy that his own party opposed. Nonetheless, the Government has a very clear agenda, which is to build more homes for New South Wales. If that is what people think they need, then they need to keep Labor in power at a State and Federal level.

NET ZERO EMISSIONS TARGETS

Ms CATE FAEHRMANN (14:07): My question is directed to the Minister for Climate Change. The Net Zero Commission stated that the Government was falling short of its emissions reduction targets because the pipeline of coalmine extensions in particular was jeopardising those targets. Yet, just in the past few weeks, the Government rubberstamped coalmine extensions at the Ulan and Tahmoor coalmines. With the Government continuing to approve coal projects, has it abandoned any hope of meeting New South Wales' emissions reduction targets of 50 per cent by 2030, 70 per cent by 2035 and net zero by 2050?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:08): I thank the member for her question. The answer to that is absolutely not. This Government has put in place the measures that we believe we need to do to take serious action

on climate change and to work through those matters. That includes legislated targets, which were thankfully well supported across this Parliament, and the establishment of the Net Zero Commission. The Net Zero Commission is doing exactly what it was set up to do, which is to provide the frank and fearless advice that I, as the Minister, and that the Government will need on how we are tracking in our emissions reduction targets at various points as we head towards 2050. It is no secret that it will be challenging and that we will need to work through that advice. That is why the Government is doing what it has been doing.

We are working across the planning system on how we take into account climate change emissions and the way in which we are dealing with the work of the Environment Protection Authority. Members should not forget that the EPA will require everyone with a licence to have a plan to get to net zero. It is working assiduously through that. That does not mean that there are not challenges in mining and a whole range of other sectors. We have challenges in agriculture, in transport and in the built in environment. It will not be easy, but this Government is absolutely committed to addressing those challenges. We have put in place what I consider government architecture to keep us on track and honest about the way in which we are tackling and working through them. The Government will respond to the first report of the Net Zero Commission very soon. The commission was set up only in the past six months. It did a good job to turn that report around. It is supposed to be here in perpetuity to keep everyone on track. It will release its reports as it sees fit.

The Net Zero Commission will provide advice, which the Government will consider. We have also put in place a joint committee, which has parliamentary oversight. I welcome that and thank the members of that committee for their work. Tackling climate change is not something that one Minister can do on their own. In fact, it is not something that the Government can do on its own. Every part of our community needs to tackle it because the threat is serious. I do not need to convince The Greens of that; they are well across it and raise it all the time. Climate change is a genuine existential threat to our health and wellbeing, to our economy and to the ability for people to live in the places in which they live. We are already seeing the impact on people, particularly those in the Pacific, and farmers are already talking about it. The Government is taking into account this serious matter and will continue to do so.

FLOODS AND RIVERBANK RESTORATION

The Hon. WES FANG (14:11): My question is directed to the Leader of the Government. Given hundreds of kilometres of riverbanks in New South Wales have been impacted by recent flooding, will the Minns Labor Government be providing grants to help farmers restore and repair the riparian zones on their properties that have sustained significant damage?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:11): I thank the member for his question. The member would be aware, as we all are, of the challenges. I thank the Hon. Scott Barrett and the Hon. Emily Suvaal, who spent time in flood-affected communities last week—as did many other members across the Parliament; I am not seeking to make a political point. I think we are saying that it is a one-in-500-year flood. The restoration of homes and businesses is the priority at this stage, but the impact on riverbanks cannot be denied. There is some funding, as I understand it; I am being careful with my words and I will take on notice the detail. I need to seek more information about support for landholders in relation to riverbanks specifically. We are obviously working closely with the Federal Government on disaster support more generally.

After Ex-Tropical Cyclone Alfred, there has been work around beach restoration. The short answer is I will need to get more detail. It is a very good question. The way in which some of these rivers flow may have fundamentally changed as a result of this flood. As we know, water spreads to the lowest area and will have an impact on those landholders. We will continue to speak with them. Some good work on ongoing briefings around those matters is happening with the mayors, local members and members of the Government. That will continue for as long as needed so that all of the available information and support is fully understood and able to be rolled out.

WASTE DISPOSAL INFRASTRUCTURE

The Hon. Dr SARAH KAINE (14:13): My question without notice is addressed to the Minister for the Environment. How is the New South Wales Government responding to Greater Sydney potentially running out of landfill in the coming years?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:14): I thank the member for her question. The problem affects not only Greater Sydney—although it is obviously the bigger part of it—but also other areas across New South Wales. Greater Sydney is running out of landfill. In fact, at the moment, we will run out of landfill space by 2030 if we take no action. There is a real danger that by 2030 there will be nowhere for the rubbish in the red bins to

be taken to or dealt with without it costing an extraordinary amount of money. In fact, we estimate there would be an increase of over 20 per cent on what households pay for red bin collections if it had to be taken interstate. As members can imagine, our interstate friends are not happy about taking New South Wales waste. The issue cannot be ignored any longer.

No-one likes talking about rubbish. I quite like it, but that could be just me. Communities have legitimate questions about the way in which we manage it. It is, of course, an essential service. The New South Wales Government's priority is to reduce waste going to landfill and increasing circularity. Ideally, we would like to reduce waste from the source wherever we can. We are taking action at the Federal and State Minister level to do that. A lot of the waste that we currently put into New South Wales landfills does not need to be. It has valuable, re-usable and recoverable material. The Government's highest priority is to keep more material out of landfill, to use it for longer and then recycle it—a truly circular economy where landfill is the last resort. It is why earlier this year we brought our food organics and garden organics [FOGO] mandate legislation, which will divert almost a million tonnes of household FOGO from landfill each year. That is about the equivalent of one-third of everyone's red bin being diverted.

We are also moving on our next steps on plastic pollution. We recognise that some material cannot be recovered for various reasons. That waste still requires safe, sustainable disposal options to prevent environmental and human health impacts occurring as a result of poor disposal practices. The Government has released for public exhibition the first chapter of the draft for the Waste and Circular Infrastructure Plan. This is the first time New South Wales has had an infrastructure plan like this. The first chapter of the plan outlines the whole-of-government approach to ensure New South Wales has the right infrastructure in place to safely manage the waste we do not recycle and to avoid imminent shortfalls.

Firstly, we plan to streamline the planning process to make it easier and quicker for waste operators to extend the lifespan of existing landfills where doing so will delay the imminent landfill shortages. Secondly, we are examining the barriers to planning, investing and building energy-from-waste facilities where doing so will reduce reliance on landfill and build the resilience of our waste management network, and protect human health and the environment. Lastly, the plan sets out actions to strengthen the way in which we plan for waste and recycling infrastructure. I am putting together an implementation committee, which is a ministerial advisory committee, that includes councils, the waste resource recovery sector and the community to advise on the plan. Chapter two of the plan will include more of the work being done on recycling and the circular economy restructure.

STATE OF THE ENVIRONMENT REPORT

Ms SUE HIGGINSON (14:17): My question is directed to the Minister for the Environment. Section 10 of the Protection of the Environment Administration Act requires that the Environment Protection Authority delivers a State of the Environment report every three years and that it be given to the Minister and tabled in both Houses of Parliament. That report is due no later than 31 October in the year it is due. Why is the report now overdue by more than seven months? When will the Minister ensure that the report is tabled in both Houses?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:17): I thank the member for the question. The State of the Environment report is incredibly important. It gives us all the data over a long period on how a variety of different indicators are going. That includes the quality of our soil and water, and the carbon capacity within our soils—the member is well across the various bits of data in it. The past few reports contained 19 indicators, if I recall correctly, off the top of my head. The last report basically shows that the dial is going in the wrong direction in many areas. The crisis around managing our environment is serious. We are taking action to deal with it. I am aware that the report is very close. I was not aware that it was supposed to be done by October. That is news to me. I will find out for the member. But I do know that we—

The Hon. Natalie Ward: We asked in budget estimates hearings.

The Hon. PENNY SHARPE: Funnily enough, I take the novel approach where I like to be honest and tell the truth in relation to these matters in trying to answer the question. The point is that, if it is late, it should not be. I know that it must be very close because I had some briefings on it. I will endeavour to release it as quickly as possible. It is an extremely important report for the Government and the New South Wales public to understand what the state of our environment is in a range of different areas, whether it is land, water or threatened species.

The report will help to guide the Government on the action that it takes, including the work that it is doing on the plan for nature; examining what is going on with land clearing; doing the work around waste; and working closely with the Minister for Water on the health of our rivers. The Government takes all of those things seriously. I warn people that I do not expect the news to be good when it comes to the state of the environment. What I am

looking to do as the Minister, and what the Government is striving to do, is stabilise the harm that has been done and then look at the ways that we can restore those environments and ecosystems that are under so much pressure. I did not realise the report was late. I will find out. I know the member hates it when I say this, but it will be soon.

JINDABYNE AMBULANCE STATION

The Hon. NICHOLE OVERALL (14:20): My question is directed to the Minister for Regional New South Wales. What steps has the Minister taken to progress the delivery of the new Jindabyne Ambulance Station? Will the Minister confirm whether a construction timeline or contractor has been secured for the vital project?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:20): I thank the member for her question and her ongoing interest in all things Monaro. A commitment has been made for the ambulance station in Jindabyne, as per the details of the question. I will take that on notice where it is up to and find out. I and other Ministers have some role in a range of projects, and there might be some coordination across government. This project is one of those. I will find out the specifics from the relevant part of government and come back to the member and the House with more information.

The Hon. NICHOLE OVERALL (14:21): I ask a supplementary question. I thank the Minister for pointing out my love of Monaro. Given that it has been more than two years since the project was announced and there is no tangible outcome in delivering it so far, will the Minister also take on notice specifically where the process is currently at in order to provide confidence to the Snowy Mountains community and the healthcare professionals in that region?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:22): I refer to my previous answer. It is being worked on by the relevant section of government. I will find out where it is up to through the relevant section of government. I will bring back whatever specific information I can to the member and to the House.

RECREATIONAL FISHING

The Hon. PETER PRIMROSE (14:22): My question is addressed to the Minister for Agriculture. Will the Minister update the House on how the Government is continuing to promote recreational fishing?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:22): I thank the member for the important question. I am delighted to announce that the New South Wales Government is launching a new program called Get Hooked... It's Fun to Fish, which is a high school program that is fun for kids and teaches them the importance of a sustainable marine environment. The program includes four courses that are aligned with the New South Wales school curriculum, with geography, science, marine and aquaculture, and technology subjects. It also links with PE. The units include fishing in New South Wales, understanding fish habitat, conserving fish habitat and biosecurity, which is important to all of us. It is important that students and young people learn about it at that age.

The program will support the next generation of fishers in New South Wales. It is designed to grow young people's love of fishing. It is targeted at people who already have an interest or who want to learn the skills that are important for fishing. It is also important for young people to get outside. At the same, we are educating students on sustainable fishing practices, including habitat conservation and biosecurity. It is a piece of work around the importance of fishing and our marine environment, which is important for young students to be aware of. Fishing is important to people in New South Wales. I know that the Libs and the Nats do not want to listen, but it is important for millions of people across New South Wales. It is a great program that young people will be interested in participating in. I know they want to hear about it because it is great news.

Following the success of earlier primary school programs, the New South Wales Government ran a pilot program with 20 high schools across New South Wales. Participants showed overwhelming support and enthusiasm for the program, which is why we are continuing it. There is a lot of interest, particularly from young boys, in learning more about fishing and getting out into our great outdoors. Tailored to year 7 to 10 students, the Get Hooked... It's Fun to Fish program is an integrated course that will be rolled out across the State.

From the North Coast to Bega and out to the Far West, 67 high schools have shown interest in the program, showing a demand across the public, private and independent education sectors. The program is giving more kids across New South Wales an opportunity to learn about all the great things that our waterways have to offer. In March this year I was able to see firsthand the enthusiasm that a new generation of kids have for fishing when I joined Fisheries staff and kids from Terrigal High School who are participating in the program. I know it will grow with great success from here.

GREYHOUND REHOMING

The Hon. EMMA HURST (14:25): My question is directed to the Special Minister of State, representing the Minister for Gaming and Racing. The Greyhound Racing NSW United States export program, known as Aussie Mates in the States, has a deadly track record. In an answer to a question on notice provided on 28 May, the racing Minister advised that at least eight greyhounds have died in connection with the program. Will the Minister provide further details of the deaths of greyhounds Bruce and Caruso in connection with the United States export program, including the date they died, the circumstances surrounding their deaths and their causes of death?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (14:26): I thank the member for the question. She has taken an interest in both the issue in general and the specific program. The Government supports the highest standards of animal welfare and integrity. That is one of the reasons why the Government established the Drake inquiry in 2024, led by Acting Commissioner of the Greyhound Welfare and Integrity Commission the Hon. Lea Drake, to examine a range of issues related to Greyhound Racing NSW. The terms of reference for the inquiry addressed concerns that have been raised in this place, including by the member and with government, about the rehoming programs run by Greyhound Racing NSW both in relation to animal welfare and the reporting of rehoming figures. The Government is currently awaiting the findings of that inquiry. It is due to report to the Minister on 31 July this year.

The program that the member is asking about, Aussie Mates in the States, commenced in 2023 and is aimed at rehoming retired greyhounds to the United States [US]. Greyhound Racing NSW has contracts with Australian company Hanrob to facilitate the transport of retired greyhounds to the US and with a number of US-based transport companies and rehoming organisations to rehome them. I am advised by Greyhound Racing NSW that since the US program's commencement, as of 3 June 2025, 1,397 greyhounds have been successfully rehomed in the US and Canada. Unfortunately, Greyhound Racing NSW disclosed five greyhound deaths in its US rehoming program in 2023-24. Since 1 July 2024 Greyhound Racing NSW has disclosed a further three greyhounds as part of the US program, including a death in transit from Dubbo to Wyee, a euthanasia at Hanrob's facility at Wyee and a death at the Mascot facility in transit to a flight to the US. Those deaths have previously been disclosed to the House, including in Legislative Council answer No. 3828.

The member asked about two specific greyhounds. I am advised by Greyhound Racing NSW that in May 2025 Caruso was found deceased at Mascot at the Hanrob holding facility for the US rehoming program following an incident during a comfort stop prior to boarding its flight to the US. Caruso's cause of death—a fractured spinal cord—was determined by a veterinary autopsy. A full written report was provided to Greyhound Racing NSW, including X-rays. Greyhound Racing NSW previously disclosed the death of the second greyhound that the member is asking about, Bruce, after the greyhound was found deceased in August 2023 in the yard of the Hanrob Mascot facility prior to departure to the US under the US program.

PSYCHIATRY WORKFORCE

The Hon. SUSAN CARTER (14:29): My question is directed to the Minister for Mental Health. On morning radio the Minister was quoted as saying that the cost for the pay increase sought by psychiatrists is \$700 million. Does she stand by that costing?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:29): I have been advised by NSW Health and NSW Treasury, who have done work to assess the cost of the wage claim made by staff specialist psychiatrists, that the cost over the forward estimates is around \$700 million.

The Hon. SUSAN CARTER (14:30): I ask a supplementary question. Bearing in mind the answer that the Minister just gave, ministry witnesses in the Industrial Relations Commission said that the cost was in the order of 5 per cent of the figure she just quoted, sitting at just over \$30 million. Which figure is correct?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:30): I am familiar with the issue that is being raised. The member is not comparing apples with apples. The figures that I am citing describe the costs to the system of increasing wages by 25 per cent in a single year over the forward estimates. NSW Health has been fully engaged in the industrial relations process. I will not offer a detailed running commentary on the evidence because the matter is still under consideration at the commission. However, the issue that the member has raised in the question has been raised with my office by the media and by psychiatrists. I am aware of the suggestion that there is a misalignment, but my response is that it is not comparing the same costs. It is not an apples-to-apples comparison. That explains the difference.

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

STATE OF THE ENVIRONMENT REPORT

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:31): I have a further answer for Ms Sue Higginson. The member asked whether the State of the Environment report was late and I advised the House that I was not aware it was late. I now further advise the House that I was not aware it was late because it is not late. To be clear, the State of the Environment report is due every three years and must be tabled. I received the report earlier this year and, as I said, it will be tabled soon. I place on record that it was not late.

Supplementary Questions for Written Answers

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (14:32): My supplementary question for written answer is directed to the Special Minister of State. Will the Minister confirm whether the Rough Edges project was cut from the Local Small Commitments Allocation because of errors in the master list that were corrected or because of what the Premier described as funding constraints?

VICTIMS SUPPORT PACKAGE

Ms ABIGAIL BOYD (14:32): My supplementary question for written answer is directed to the Treasurer. In response to the question asked by the Hon. Emily Suvaal, the Treasurer, effectively, quoted the media release issued yesterday by the Government. Will the Treasurer explain how it is possible to describe that funding as funding for victim-survivors or dress it up as domestic and family violence funding when the funding referred to is instead directed towards the justice and corrections system and the perpetrators of crime, and not the evidence-based services and programs that we know will stop the violence and provide sorely needed protection and refuge for victim-survivors to help them recover?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. NATALIE WARD: I move:

That the House take note of answers to questions.

ELECTRIC BUS PROCUREMENT

The Hon. NATALIE WARD (14:33): I take note of answers given today. Extraordinarily, it seems that this Government—which is government by press release and press conference—is very happy to get the cameras out, get the journos, take the photos and get everyone in on the press release. But we know that in Nowra, despite all the fanfare and press releases and marketing and spin by the Government, there is not a bus being built. That is why we asked this Government about content and about its promises. I am pretty good at reading the detail. I am a recovering lawyer, so I accept criticisms. But I could not see an asterisk on the press release. I could not see "terms and conditions attached". I did not hear the Hon. Bob Nanva's voice down the bottom saying, "Terms and conditions. Bob Nanva." I did not hear any of that. What I heard was an unequivocal, "They will be built in Nowra." We need more buses. I welcome that.

The defence used by this Government is to attack us, rather than stand by the unequivocal statement in its press release that buses will be built in Nowra. I do not know about some members, but I saw the photos with the red ribbons on the front and Chinese manufacturers proudly standing there. I saw those but then, suddenly and miraculously, they were gone. They were told to take them down from their social media. The Government was not proudly saying, "Thank you. We welcome these buses from China. We welcome this initiative. We are building in China." It is sending ferries to Tasmania, literally overseas, to be built in Tasmania. It is literally buying buses from Melbourne and China. It does not say on the press release "built in China".

The Government cannot build a State or rebuild the bus system on press releases and photo opportunities. The only thing the Minns Labor Government is manufacturing is excuses and inquiries. The public has had enough. Under Labor, the only thing rolling off the line in New South Wales is spin. Chris Minns has said "made in Nowra" but what we got was "made in China". If we look under the cover, we can see the "made in China" sticker. A table and chairs from IKEA is more locally manufactured than those buses. The Government says it has done those things.

When we asked questions about the content and how much is made in New South Wales, that did not attract any semblance of an answer. Clearly, we are hitting on something here because the Minister would not tell

us. Transport has been told that it can include, as a percentage of local content, the mark-up on the price. Somebody can pay a mark-up, get it here from a foreign supplier, onsell it to Transport for NSW and include that in the Transport for NSW price as local content. When we asked how much of Foton Mobility's local content percentage is just mark-up, we heard anything but. There is a paddock in Nowra. We welcome jobs and input in Nowra, but we want to see it built there.

INSTITUTIONAL CHILD SEXUAL ABUSE

NET ZERO EMISSIONS TARGETS

The Hon. JEREMY BUCKINGHAM (14:36): I take note of the answer given by the Treasurer on behalf of the Attorney General. I thank him for his answer but remind him that justice delayed is justice denied. While the Victorian State Government and its new Attorney-General appear to be taking the lead on reforms to vicarious liability issues subsequent to the High Court decision, there are hundreds if not thousands of cases around this country that are in limbo. They are cases that are being reheard, cases that are being lost and cases that are not proceeding on the basis of the High Court's decision. It is an untenable situation. I call on the Government to work expeditiously to make sure that reforms come to this State as soon as practicable so that victim-survivors can have their day in court. That is only reasonable. Any reasonable person would say they are akin to employees.

I also take note of the answer given by the Minister for Climate Change, and Minister for the Environment regarding the New South Wales transition to net zero. As chair of the Joint Standing Committee on Net Zero Future, one of the areas that I am particularly interested in, and an area that members should be paying attention to, is land use change and how we monitor that in this State. I recently asked the library to get me all the information it could in the State on regeneration. Our forests, grasslands and woodlands sequester gigatonnes of carbon in the landscape and in this State we do not record regeneration. How can we calculate an accurate figure on our progress towards net zero if we are not cognisant of how much regeneration and re-vegetation is happening in the State? We must have an accurate figure if we want to properly model, understand and go forward with climate change.

I note the Hon. Emily Suvaal is nodding. It is an issue that the former Federal member for the Hunter, Joel Fitzgibbon, brought up again and again and one that I am particularly interested in. I have raised it in hearings. It is incumbent upon us to find out, because farmers have changed their practices and we have destocked and created massive national parks and there have been transformations in our landscape. It is a good story. We have changed the landscape in Australia and New South Wales. Billions of tonnes of carbon might be sequestered passively every year through existing biological processes. It is something we should learn about and record.

MENTAL HEALTH SERVICES

Dr AMANDA COHN (14:39): I take note of the answer of the Minister for Mental Health to my question about health-led responses to mental health emergencies. Everybody agrees that people experiencing mental health emergencies need mental health care, not cops. People with lived experience and their families, experts, people working in the sector, the police, a parliamentary inquiry, the Government's own internal review and every relevant Minister all support significant reform in this space. On average a mental health incident is responded to by the NSW Police Force every nine minutes. In 2022 the New South Wales police recorded 61,164 incidents in relation to people experiencing a mental health emergency where there was not an associated criminal offence. We know that number is increasing. Police can escalate a situation when what is needed is de-escalation. They cannot provide mental health care. From 2019 to 2023, 52 people experiencing mental distress died in interactions with New South Wales police.

It is very welcome that the Government has committed to reform in this space and is continuing that work. But its actions so far in pursuing different trials in different parts of the State with inadequate communication with key stakeholders have been very confusing, and it has garnered opposition from key stakeholders in this work like the Australian Paramedics Association (NSW). I will explain that association's opposition. The Mental Health Acute Assessment Team was established in 2013 and became a standard service in 2015 in Western Sydney as a partnership between NSW Ambulance and the Western Sydney Local Health District. Under that model a dedicated team of a paramedic and a clinical nurse consultant in mental health respond to mental health emergencies and can provide immediate mental health care and support as well as transport to hospital if needed.

The new trial being undertaken by NSW Ambulance—the Mental Health Co-Response Team—appears to be a kneejerk response to the Bondi Junction stabbing incident. It attaches a mental health nurse to an existing Special Operations Team paramedic resource. That is an inappropriate use of an extremely limited resource and also means the team cannot transport a mental health patient to hospital if that is needed. In the most recent 10-week roster cycle, only 49 per cent of special operations paramedics shifts were filled. It is a resource that is already in shortage. Their specialist skills and responsibilities include aquatic rescues, remote-area medical

interventions, overnight wilderness operations, vertical access operations and confined space medical rescues. They are not the appropriate resource for mental health emergencies.

I urge the Government—in pursuing this welcome and needed reform—to listen to all of the relevant unions representing health workers to make sure that it happens safely with minimal impact on the existing important work that paramedics need to do so that we can have care, not cops, for people experiencing mental health emergencies in this State.

RAIL WORKERS ENTERPRISE AGREEMENT

The Hon. MARK BUTTIGIEG (14:42): I take note of the answer of the Minister for Transport in response to the question I asked regarding the recent good news deal on the rail agreement. I point out what this Government has achieved in a relatively short time—backing in its core promise during the election campaign of rewarding public sector wage rises in the context of its relationship with the union movement—and how important that is to limiting industrial action. The Hon. Wes Fang laughs, but the reality is the heavy-handed blunt instrument that those opposite used to deal with unions and public sectors workers was to put in a wage cap and suppress wages for 10 years.

The Minns Labor Government has a sensible approach, whereby we use our relationship with our unions to negotiate public sector wage rises, which is exactly what has happened again. For the past three or four months, the naysayers on the other side of the Chamber have been saying, "Oh, it's a mess; you're not going to solve it", wishing disruption on the members of the public so that they could get some political advantage. The reality now is that those workers have achieved a 12 per cent pay increase over three years, with back pay to May 2024, with relatively limited industrial disruption. Part of the deal is the introduction of new technology to improve recovery times when incidents happen and a streamlined process for consultation on new fleet systems and infrastructure projects.

That is all on top of the other gains for most of the public sector. I remind members of the 4.5 per cent base rise for all public sector workers in 2023. On top of that members of the Public Service Association got an 11.4 per cent rise over three years. We are talking about 90,000 workers. There was also a one-off \$1,000 cost-of-living payment. Transport workers achieved an 11 per cent rise, inclusive of super, over three years. That is great stuff. Police received a 19 per cent increase over four years. Teachers under the education award received a 3 per cent annual increase for three years. Paramedics received a 25 per cent increase over four years. Health Services Union award employees received a 3.5 per cent increase plus a 0.5 per cent increase to superannuation per year, as well as a 100 per cent salary packaging.

This is a Labor government doing Labor things for our public sector workers. Those opposite do not like it because that is not their constituency. We understand. They do not want public sector workers to get wage rises. They put a wage cap in for 10 years to suppress wages. We were elected on the back of a promise to remove that, and we have delivered with minimal industrial disruption.

ELECTRIC BUS PROCUREMENT

LOCAL SMALL COMMITMENTS ALLOCATION

FLOODS AND RIVERBANK RESTORATION

RECREATIONAL FISHING

The Hon. SARAH MITCHELL (14:46): I take note of a number of the answers given today. I will start with the questions directed to the Minister for Transport, and Special Minister of State in relation to the buses. I had a bit of a chuckle when I looked at the front page of the paper over the weekend and saw those buses lined up with red ribbon. I was thinking that someone in a ministerial office somewhere was saying, "Oh no, they've caught us out. They've got the photo. What are we going to do?" Because the reality does not match up with the rhetoric. The Government announced the buses in January. I have the press release. It is almost a who's who of Government members. I do not know who is not on that media release. There are three Ministers and local members. The Hon. Dr Sarah Kaine is on it as well. It did not say, "We will put the seats on here", or, "We will just do the Opal readers." It was pretty clear language:

The next generation of NSW Electric Buses will be built in Nowra

...

deliver 126 battery electric buses that will be built in Nowra ...

It quotes from the Premier:

... we're building these buses here in NSW

The Minister for Domestic Manufacturing said:

This new facility shows the high-quality products that NSW workers and businesses can deliver.

The Hon. Nichole Overall went to the factory site yesterday and it was paddocks. Skippy was there. There was not a lot happening in that space. My message to the Government is that it should just tell the truth. It should be honest at the beginning about what it is going to do. It gets caught up in its spin and its shiny press releases and, when it gets called out, it is very embarrassing.

It is also embarrassing how the Government is mishandling money when it comes to the Local Small Commitments Allocation. I asked questions about that today. The Minister had a brief from his department saying that Rough Edges had been positively assessed and recommended for approval. Suddenly it does not have money because there are funding constraints. If those were all pre-approved election commitments to the value of \$400,000 to each electorate, why are there funding constraints? Shouldn't it just have been approved? We did not get a clear answer on that from the Minister today.

I also briefly raise the issues relating to riparian zones in flood-affected communities. A number of landholders have reached out to me in relation to that as well. It has affected people in the community of the member for Myall Lakes, Tanya Thompson. I think one farmer has lost 15 acres because of the devastating impacts. It is a serious issue. I know that the Minister will look at it. We implore her to do that because it is causing a lot of distress.

Finally, I turn to the answer given by Minister Moriarty in relation to the Get Hooked ... It's Fun to Fish program. My husband is a mad keen fisherman. I would say he is a fishing addict. We very much support it in our household. The Minister said, "Those opposite don't like these programs." Well, we do. Because this program actually started under us. Under the Recreational Fishing Trust Investment Plan 2021-22, 81 schools and more than 1,000 people were registered with the Get Hooked ... It's Fun to Fish program. No wonder it is a good idea; it is one of ours that those opposite have kept. The Minister should be conscious of that when she says that we do not agree with her program.

VICTIMS SUPPORT PACKAGE

Ms ABIGAIL BOYD (14:49): I take note of the Treasurer's answer to the Hon. Emily Suvaal's question about the funding announcement yesterday. One of the most frustrating aspects of the Minns Labor Government is the dishonesty and spin we get much of the time. It would be refreshing if Government members said, "We are not going to give you funding towards domestic and family violence frontline services. We are just not going to do it." Instead, everything gets dressed up as if it addresses domestic and family violence, when it does not. Victim-survivors in New South Wales wait an average of two months for support. The moment they have decided to leave their intimate partner is when they are most at risk of being killed. But they have to wait two months to get that support, which means that they are put in harm's way throughout that time.

Frontline domestic and family violence services are beyond breaking point. According to Domestic Violence NSW, 94 per cent of specialist domestic and family violence services have reported a spike in demand in the 12 months since the so-called emergency package was delivered. It has been over a year since Labor delivered that so-called emergency funding package, which contained only a measly \$15.6 million of additional funding. Domestic and family violence services in New South Wales are funded to about one-third of the level in Victoria, which is reflected in the incidents of domestic and family violence that are reported and the number of deaths. It is a crude measure, but the same number of people continue being killed in New South Wales, whereas there has been some progress in Victoria.

This is really serious. Domestic Violence NSW and the sector at large have been crying out for funding that to any other sector would just not be as hard for a government to deliver. But this Government wants to take advantage of those hardworking people, who will not turn people away to the extent that they can help it. People have been sleeping in car parks and on the front porches of frontline services. Yesterday the Government claimed to be giving half a billion dollars for domestic and family violence, and Labor backbenchers put it on their Facebook pages as if they were finally doing something. It turns out that it is not new money; it is money for extra Corrective Services officers to deal with all the extra people who are waiting on remand. It is not for victim-survivors and it is not what people are asking for. The Government should just be honest if it does not care about all the women and children.

VICTIMS SUPPORT PACKAGE

The Hon. STEPHEN LAWRENCE (14:52): I participate in the take-note debate to address the same question the previous member addressed, and I must admit I do so as someone who put the announcement on my Facebook page. I must disagree with some things that Ms Abigail Boyd said. I do not disagree about the urgent, pressing and ongoing need to fund organisations better. The Government has made a record investment in them.

But aspects of the package will have an immediate impact on survivors of domestic, sexual and family violence. For example, I understand the victim support hub is absorbing \$49.4 million of the funding. It is not limited to victims of that type but will certainly assist a considerable number of those victims, who make up a significant percentage of the victims in the system. That will provide counselling, legal aid and financial advice, in addition to assisting with appearances by audiovisual link. Those are important things, particularly the last one, for women and others escaping such relationships.

Some \$12.8 million is going into staffing the various agencies to facilitate the prerecording of children's evidence. As someone who has appeared on both sides of those matters, I can say that the quicker that evidence can be recorded and the more easily children and other victims can be separated from the hurly-burly and cut and thrust of the trial process, the more convictions there will be—particularly in matters of sexual and family violence. The longer it takes to prerecord cross-examination, for example, the more the inconsistencies mount, the more juries may not be in a position to truly appreciate the significance of the evidence and the more guilty people go free.

To be honest, it is an essential part of our system that guilty people may go free. The famous maxim is that it is better for 10 guilty people to go free than for one innocent person to be convicted. Sometimes people stretch that out to 100 guilty people. But it is something to be minimised, and accountability in our criminal justice system is a key feature of reducing that sort of offending. I take issue with the proposition that there is nothing at all for victims in the package. That is not the case.

I note also that \$100 million of the funding is going to Corrective Services, which is something for members to consider and ponder. It is the financial chickens coming home to roost after some of the Government's bail reforms. We need always to realise that things go up and down in the bail space and in the law-and-order space, but the consequences live on for a long time after the reforms are passed. They live on for people affected by them, and they live on for the budget and the things that miss out because of that sort of expenditure. That is food for thought for all members.

ELECTRIC BUS PROCUREMENT

FLOODS AND RIVERBANK RESTORATION

The Hon. WES FANG (14:55): I take note of answers given today. This Government loves a press release. When it puts out a press release, it records its claims at that time for all of us to see. Obviously, in the past week we saw the issues around Rosehill and the commitments made by those Ministers who decided to talk about the housing they would deliver. We saw the commitment to build buses in Nowra, which are not actually being built in Nowra. This Government likes to try to mislead us and over-egg all of its promises, but it could just be honest and up-front, and try not to over-promise.

The Government has said that it will build the buses here, but it turns out that they will actually be fitted out here. There is a huge difference between manufacturing a bus and fitting it out. There is a huge difference between a proposal to build 25,000 new homes and actually doing it. The Government has a problem with transparency, accountability, and most of all with honesty. We saw that in the Minister's answers about the Local Small Commitments Allocation.

The obfuscations, the refusal to answer questions by saying they had been answered before and the tangential deflections suggest that we are onto something here. That the Leader of the Government did not face a censure motion this morning, because the documents miraculously appeared a day late and subject to privilege, proves that we are onto something here. Lastly, I note the answer from the Minister for Agriculture. While riparian zones have been washed away, farms along the coast have been flooded and have lost stock, and oyster farms have been ruined, the Minister talked about fishing. I think the Minister could focus on something else.

NET ZERO EMISSIONS TARGETS

The Hon. RACHEL MERTON (14:58): I take note of the answer from the Minister for Climate Change to Ms Cate Faehrmann's question about the pipeline of coalmine extensions, including Ulan's coalmine extension, and how it relates to net zero targets. Ulan Coal Mine Complex recently celebrated its 100th anniversary, making it one of New South Wales's longest running coalmine operations. In her answer, the Minister for Climate Change overlooked the broader global and economic context, which demands a pragmatic approach to energy and regional prosperity.

Globally, nations are stepping back from rigid net-zero commitments. Japan, the world's fifth-largest emitter, has scaled back its renewable targets, prioritising energy security with coal and gas, as reported by the International Energy Agency in 2025. China, the largest emitter, plans to peak emissions by 2030—not 2025—and continues heavy coal investment. China reportedly built two new coal-fired power stations in 2024. Even

Germany, a renewables pioneer, has delayed coal phase-outs to 2038, citing energy stability. Those nations recognise that premature net-zero pushes risk economic disruption without guaranteed environmental gains.

In New South Wales, the Ulan Coal Mine exemplifies why we must balance ideology with reality. Contributing \$1.2 billion annually in export value, and sustaining 1,100 direct and indirect jobs, Ulan powers our economy, as Glencore reported in 2024. On 15 May 2025, my visit to Ulan revealed a mine committed to sustainable operations, producing 10.4 million tonnes of thermal coal for export, as per the Global Energy Monitor. I thank Francis De Rosa among others at Glencore for their time on the day. The mine drives Mudgee's economy, supporting local businesses, community programs and the local high school. Some 600 people work at Glencore Ulan. Locals work there. Many share with me their length of employment: They have been there for six years. Many have re-skilled. They moved there from Sydney. It is critical to the regions that coal continues. The mining sector contributed \$22 billion and 34,900 jobs in 2023-24. It is a cornerstone of regional New South Wales. Rather than demonising the industry, we should streamline regulations and ensure that mines can continue to deliver prosperity. I commend Ulan for its operations.

HOUSING SUPPLY

ELECTRIC BUS PROCUREMENT

The Hon. SCOTT FARLOW (15:01): I take note of the answer given by the Minister for Housing to a question about the Federal Government's housing program, and some of her subsequent commentary on the Federal shadow housing Minister. I congratulate Senator Bragg on his appointment as the Federal shadow Minister for Housing and Homelessness, and shadow Minister for Productivity and Deregulation. I am sure he will do a wonderful job spearheading the Coalition's policy offerings in those spaces over the next couple of years. I also take note of the Minister's remarks on Rosehill.

Of course, Rosehill was a mirage that the Government chased for 18 months. During that time, it put 10,000 homes on ice that could have been developed as part of the Camellia-Rosehill Place Strategy. It was within the Government's purview to progress that plan, but it decided to pause it and jeopardise more homes for New South Wales. Now the Government is scratching around for a plan B for how it will deliver the homes it promised. As the Hon. Wes Fang said, all the Ministers stood up and hailed the plan. As we heard many times during question time today, there was no asterisk on those press releases. It was a done deal when it came to Rosehill. When the Government announced the proposal, there was no asterisk on the press release.

It was just like the buses that were supposed to be built in Nowra. There was no asterisk. There was no mention of the fitting of Opal card readers. They said the project would happen in Nowra, "The buses are going to be built here." But this Government comes with an asterisk for every announcement. Every single one needs to be interrogated. What does the Government actually mean? It is one thing to put out a press release and it is one thing to herald big ideas and go chasing after mirages, but it is another to actually deliver. When it comes to delivering houses, the Government is already 37 per cent behind the National Housing Accord targets. The other day, approvals were down once again. The Premier talks about having a State of Origin for housing with Victoria, but Victoria is beating us every time. Victoria is on track to meet the targets; we are not.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:03): I have a couple of comments about the take-note debate today. First, the Opposition needs to decide what it is doing on housing. Members of the Opposition constantly say, "Could've, should've, would've," but they did not. For 12 years, they delivered nothing and saw the State going backwards. This Government has committed more to building houses than we have seen, including 8,700 social housing homes, half of which will be for women escaping domestic violence. I know Senator Bragg. He likes to talk a big game. But when he blundered into the media on the weekend, he should have thought about the position of his own people on where we have been with housing. We have heard every excuse under the sun. At one point, the Opposition was against transport oriented developments. Then it was against Ku-ring-gai, saying, "No, they can't do anything there." Then those opposites worked in cahoots with the Hon. Mark Latham on the Rosehill inquiry to undermine what was a very good idea that has not come off.

If the Opposition is serious about having big ideas in this city, the Government is not in any way shy or defensive about the approach it took on Rosehill. It was an opportunity that did not come off. We are now working through the other options. We are also playing catch-up as a result of the lack of activity from the former Government for the 12 years it was in power. Coalition members are now talking a big game, but I am still not sure what their position is. They say yes to housing, but every time we put up a proposal, they said no. Anyway, we will just go with that.

Now, I will address bus manufacturing. I am very happy to talk about bus manufacturing, because I have been around a long time. I recall a few of the decisions made by the previous Government on buses. The Hon. Andrew Constance—who has now lost five different elections—promised 8,000 buses. In the end, 10 were delivered. I do not want to mislead the House. I would need to check exactly how many it is. In 2021, the member for Hawkesbury, Robyn Preston, co-authored a transport report that talked about assembling buses in Nowra and the opportunities that are there. There was no problem for Coalition members at that time, but now they are against it, because this Government has pulled off a reasonable suggestion from the member for Hawkesbury. Perhaps Opposition members should get a briefing from the member for Hawkesbury.

I remind the House of the challenges we have with the buses procured by the former Government, which were built in Queensland. The former Government also privatised one-third of the Sydney bus network—233 bus routes—which caused a huge number of problems. It is only members on this side of the House who are serious about manufacturing and manufacturing transport infrastructure. It is something we committed to at the election and that we are delivering. We are also working through the challenges of manufacturing, again because of the 12 years of nothing from the former Government.

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

Motion agreed to.

Written Answers to Supplementary Questions

HOUSING SECTOR INVESTMENT

In reply to **the Hon. MARK LATHAM** (29 May 2025).

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

In recent times, investment in infrastructure, such as that required for the renewable energy transition, has added to capacity constraints in the economy. The construction sector is showing signs of particular constraint and the New South Wales Government is very mindful of not increasing the pressure that would crowd out private investment.

I look forward to updating the member on how the New South Wales Government will continue dealing with this critical economic challenge.

WORKERS COMPENSATION LEGISLATION

In reply to **Ms ABIGAIL BOYD** (29 May 2025).

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

New South Wales will continue to offer lifetime benefits to retirement age for psychologically injured workers with the highest needs. This includes income support at 80 per cent of pre-injury average weekly earnings [PIAWE] to retirement age plus an additional year and lifetime medical benefits.

There are no changes to the benefits for workers with physical or secondary psychological injuries.

In comparison:

- Queensland ends income support payments after 260 weeks for workers with physical and psychological injury.
- Victoria and Tasmania cut off medical benefits at 52 weeks after weekly payments cease.
- Western Australia caps income payments at \$264,487, with medical and health expenses capped at 60 per cent of that amount (\$158,692).
- South Australia offers a similar benefits structure, but they reduce benefits for non- severely injured workers at 104 weeks, compared to the proposed 130 weeks in New South Wales.

WORKERS COMPENSATION LEGISLATION

In reply to **the Hon. DAMIEN TUDEHOPE** (29 May 2025).

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

The proposed reforms will significantly decrease the break-even premium, similar to what was outlined in the exposure draft. Without reform, claims will continue to grow at recent rates, the Nominal Insurer funding shortfall will worsen, and premiums could rise by as much as 36 per cent to 2027-28.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I shall now leave the chair. The House will resume at 4.00 p.m.

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

The Hon. PENNY SHARPE: I postpone Government business orders of the day Nos 2 to 4 until a later hour of the sitting.

*Matter of Public Importance***GAZA CONFLICT**

Ms CATE FAEHRMANN (16:06): I move:

That the following matter of public importance be discussed forthwith:

The humanitarian crisis in Gaza.

I speak to why we should interrupt the normal business of the House to debate this matter of public importance on the humanitarian situation in Gaza. On Sunday thousands of people gathered in Hyde Park to call on both the State and Federal governments to do more to pressure the Israeli Government to end its horrific genocide of the Palestinian people and its deliberate starvation of the babies and children that is happening right now. Last week members of this place had a debate on a motion that was limited to 30 minutes, allowing members to make a contribution of just three minutes each. I know that not every member who wanted to had a chance to speak to that motion.

The motion the House passed last week supported the Federal foreign Minister in signing a joint statement with 22 other countries. The statement acknowledged that there were indications of a limited restart of aid, that Israel had blocked humanitarian aid entering Gaza for over two months and that the population faces starvation. Yet even in the short time since the statement was issued on Monday last week, the situation in Gaza has continued to worsen—if that was at all possible. Surely, that is why members should support allowing just 90 minutes today to debate this matter of public importance. The statement signed by Australia strongly criticised the new model for delivering aid into Gaza. It stated that humanitarian aid should never be politicised, and Palestinian territory must not be reduced nor subjected to any demographic change. Finally, it called on the Government of Israel to do the following:

... allow a full resumption of aid into Gaza immediately and enable the UN and humanitarian organisations to work independently and impartially to save lives, reduce suffering and maintain dignity.

Since members debated that motion and statement six days ago, that has not happened. The situation in Gaza has become unimaginably worse. Israel is now using aid as a weapon of terror. Just on Sunday, thousands of starving Palestinian men, women and children who had gathered before sunrise at Al-Alam roundabout—an Israeli-backed aid point in southern Gaza—were fired upon as they waited for aid to be distributed under the control of the Israeli military and United States. People were killed and dozens of people were injured. According to health officials and witnesses, that was repeated the very next day at sunrise—that was yesterday. That is just such unimaginable cruelty.

Al Jazeera has reported that a Red Cross field hospital received about 50 people who were wounded in Monday's shooting, two of whom were dead on arrival. A spokesperson for the International Committee of the Red Cross said most of them were hit by bullets or shrapnel. A third body was taken to Nasser Hospital in nearby Khan Younis. One 21-year-old man said he was shot in the leg while walking with thousands of others towards the food site. He told the Associated Press newsagency, "We had nothing and they, the Israeli military, were watching us," adding that surveillance drones circled overhead. Last Thursday I moved that this matter of public importance be discussed today, and all matters of public importance that have been moved in this House, during this term of Parliament, were ultimately agreed to.

Matters of public importance such as member conduct, public access to Mount Warning, climate change, national park access, government transparency, protest legislation and North Coast missing persons have all been agreed to, as have many others. I have heard that Government and Opposition MPs will block this discussion. That is incredibly disappointing given the situation in Gaza, which has again escalated beyond words. How it could get any worse than last week is beyond disgraceful. Despite the motion passed by the House last Wednesday to express our support for the statement of the Federal foreign Minister, there is no sign that the Netanyahu Government is allowing the United Nations to take over aid distribution.

In fact, the United Nations Secretary-General has demanded an investigation into the horrific killings that have occurred over the past two days at aid distribution points at the hands of the Israeli Government. I am sure members will argue that we cannot solve those problems in this place, but I believe allowing time for debate shows that we care about the thousands of people in this State who were born in Palestine and the thousands more with Palestinian heritage. Thousands of people in this State with connections to Palestine are incredibly distressed

and distraught at what is happening to their homeland, their families, their people. Surely, allowing a 90-minute debate in the oldest Parliament in this nation is the least members can do to show them that we, too, share their distress.

Since the 7 October 2023 attacks, the Parliament has prioritised the passage of laws to address hate speech and antisemitism. In fact, members would remember when we stayed back very late to pass those laws—in quite controversial circumstances now. Members also know how much pressure the Zionist lobby places on MPs and powerful political figures in this State, including the Premier, so what we do as parliamentarians does matter. The Jewish community is watching. The Israeli Government is watching. So much so, in fact, that the President of Israel presented a letter of gratitude to the Premier very recently, thanking him for his outstanding leadership. If the Premier thinks that it is relevant for him to demonstrate that he has been an outstanding leader during what Israel describes as deeply challenging times—let us remember the Opera House sails were lit up in blue and white on the night after October 7—then surely it is also our duty, as lawmakers and parliamentarians, to provide time to at least put on record our views, our sympathy and our horror at what is happening in Palestine.

Many people in the community have urged Australia to go further. I was at the rally on the weekend—and I note there were other members of Parliament there, including from the Labor Party—to urge Australia to go further and, at the very least, join Canada, France and the United Kingdom in threatening targeted sanctions on Israel. Members debate all sorts of topics in this place. One of the most horrific, distressing, unimaginably cruel, horrendous situations is going on at the hands of the Israeli Government at this point in time, and members of this place are unable to talk about it because it is not deemed a matter of public importance. Every single other matter of public importance that has been brought before this House, no matter how random, has been supported. That is an indication of just how much control there is over the actions of this Government when it comes to expressing support for Palestine.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:16): The Government does not support bringing on this matter of public importance for discussion. As Ms Cate Faehrmann acknowledged, the matter was debated in this House and members passed a motion expressing their concerns about what occurred in Gaza last week. This is a Government business day, and the Government has a range of different items to move through. We do not believe discussing that matter today is the best use of our time, particularly given the other elements that the Government has provided in relation to it. To respond to the issue about why matters of public importance are supported or not, that is decided on a case-by-case basis depending on the context and timing of the issue. We would be having a different conversation if we had not debated this matter last week.

I cannot speak for the Opposition, but the House has the opportunity to have this discussion. I do not think members should cast aspersions on whether other members support this matter of public importance and whether somehow that means they do not support the issue itself. These matters need to be seen in context and in relation to the other items on the *Notice Paper*. Last Wednesday the House did good work in debating this very specific issue. For that reason, the Government does not support discussing this matter of public importance today.

The Hon. Wes Fang: Mr President—

The PRESIDENT: There is no provision for a member other than the mover of the motion and the Minister to make a statement.

The question is that the motion be agreed to.

The House divided.

Ayes7
Noes31
Majority.....24

AYES

Boyd
Cohn
Faehrmann (teller)

Higginson (teller)
Hurst

Latham
Ruddick

NOES

Banasiak
Borsak
Buckingham
Buttigieg

Jackson
Kaine
Lawrence
MacDonald

Munro
Murphy
Nanva (teller)
Overall

NOES

Carter
D'Adam
Donnelly
Fang (teller)
Farlow
Graham
Houssos

Maclaren-Jones
Martin
Merton
Mitchell
Mookhey
Moriarty

Primrose
Roberts
Sharpe
Suvaal
Tudehope
Ward

Motion negatived.

*Committees***JOINT STANDING COMMITTEE ON ELECTORAL MATTERS****Membership**

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

MR PRESIDENT

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

- (1) That Karen Anne McKeown be appointed to serve on the Joint Standing Committee on Electoral Matters in place of Janelle Anne Saffin, discharged.
- (2) That a message be sent informing the Legislative Council.

Legislative Assembly
3 June 2025

GREG PIPER
Speaker

*Bills***COMMUNITY HOUSING PROVIDERS (ADOPTION OF NATIONAL LAW) AMENDMENT BILL
2025****First Reading**

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

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

Statement of public interest tabled.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (16:28): According to standing order, I declare the bill to be an urgent bill. The bill is urgent because it establishes a significant piece of reform that we need to address quickly. A lot is happening in the affordable housing space, which is a good thing. Our regulatory framework is not keeping up with that. I would like to have the bill passed with some urgency so that we can get on with the job of having this framework in place to properly align with the growth of affordable housing that is happening right at this moment. It is important that the House considers the bill with urgency.

The PRESIDENT: The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

Second Reading Speech

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (16:29): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Community Housing Providers (Adoption of National Law) Amendment Bill 2025. The bill amends the Community Housing Providers (Adoption of National Law) Act 2012 to provide meaningful regulation for the developing affordable housing sector and to improve the regulation of the community housing sector. At first blush, the bill may seem bureaucratic and administrative, but if we are going to talk about affordable housing—and members know I talk a lot about affordable housing—we need to acknowledge that it is not just about numbers on a register but about people. Who does affordable housing serve? It serves teachers, nurses, paramedics, families and the people we rely on everyday who we know are increasingly being priced out of the communities they serve. Recently released research yet again demonstrated just how hard

it is for essential workers, who deliver the services on which we rely, to live anywhere near their places of work if they work around the inner city, the eastern suburbs and the northern suburbs.

Our Government understands that it needs to measure the availability of affordable homes, tracking where they are and how many exist to make sure that it realises its goals to deliver affordable housing for the people who need it. The data is incredibly important. It will inform our policy and define it. The Government is serious about fairness, equity and making sure the social contract means something. That means the Government needs to know exactly where it stands. It is the source of some embarrassment and, to me, slightly ridiculous that I cannot tell the House exactly how much affordable housing we have in New South Wales. That urgently needs to be rectified with the establishment of the affordable housing register under this bill. The Government cannot fix what it does not measure. It is determined to plan for growth, address housing shortages and hold developers accountable. But if the answer to how much affordable housing we have is "Somewhere around this number" or "We think it is about this", that is not good enough. That is not accountability; that is guesswork.

Our Government believes that housing is a human right, and making that belief real means building a system that knows how much housing it has, is able to track its progress and faces the crisis head-on. This is about building the kind of State where hardworking people, the people who affordable housing is intended to serve, are clearly supported. We know what is happening with affordable housing and we have the guts to do something about it. The bill seeks to close a longstanding regulatory gap requiring for-profit and not-for-profit providers of affordable housing dwellings that are subject to affordable housing conditions, whether required by their development consent or otherwise, to be appropriately regulated by the New South Wales Registrar of Community Housing and ensure compliance with affordable housing guidelines.

The bill signals a clear legislative intent to better regulate the affordable housing management sector. While affordable housing delivered through planning incentives has been required to be managed by registered community housing providers since 2009, an appropriate system of assurance has not been in place. We need to put in place tailored assurance mechanisms to ensure rents are discounted to market and leased to eligible persons, together with such mechanisms that are determined under the guidelines. The focus is on tenant eligibility, appropriate rent setting and developing insights into the affordable housing sector. In other words, it is about having the right people in the right place and knowing where they are.

I now cover the important details of the bill. Regulation appropriate to risk and harm is the underlying theme of the bill. The bill creates a category of responsible housing managers, which consists of existing community housing providers that manage both community housing and affordable housing, and new affordable housing managers who manage affordable housing only. While the regulation of an affordable housing manager will be much simpler than the regulation of a community housing manager, new penalties and a power of audit by the Registrar of Community Housing will ensure compliance that is appropriate to the responsible housing managers when they fail to comply with the guidelines. Affordable housing managers will not own assets that have been subject to government funding or assistance, as defined by community housing legislation.

The option of government assistance is only open to registered community housing providers, precisely because they are regulated to protect the New South Wales Government's investment in the community housing sector. Of course, any owner, whether for-profit or otherwise, may avail themselves of planning bonuses, and the bill does not disturb the planning regime. Additionally, the bill does not disturb the existing function of registered community housing providers to manage affordable housing. They may manage affordable housing that they own or on behalf of another entity. Community housing providers do not need to separately register as an affordable housing manager. I acknowledge all of the wonderful community housing providers in this State. New South Wales is the leading jurisdiction in Australia when it comes to community housing providers. We have some fantastic partners that are doing an excellent job. The bill does not infringe on that work.

It is important to clarify that a registered affordable housing manager may manage their own or another's affordable housing but not community housing. An owner who has affordable housing may have a registered community housing provider manage their property, or they may manage it themselves by registering as an affordable housing manager or they may have another registered affordable housing manager look after it. A build-to-rent owner, for example, will not want to split management of their building. The bill allows a build-to-rent owner to have a single manager of the premises, or they can manage it themselves upon registration as an affordable housing manager.

The bill also removes the anomaly that real estate agents can register as community housing providers. Real estate agencies are not community housing providers. They are more appropriately regulated as affordable housing managers. The bill will transition those existing 15 registered entities to the register of affordable housing managers on the day of commencement of the Act. If a currently registered entity provides or intends to provide community housing in the future, it will be able to remain as a registered community housing provider. Where an

existing registered community housing provider has community housing assets by reason of vesting or by any other reason, then that provider will remain a registered community housing provider.

The bill will enable the Registrar of Community Housing to establish a single statewide register of affordable housing dwellings to ensure a centralised, accurate source of information on affordable housing. The register will look to account for all dwellings that are subject to affordable housing conditions, whether in the for-profit or not-for-profit sector. Its aim is to have a complete and thorough picture of dwellings that are subject to affordable housing conditions, and the fact that does not already exist is quite ridiculous. That process will include the cooperation of consent authorities and certifiers to advise of properties subject to affordable housing conditions. The register is intended to capture retrospective information and includes all consent authorities and certifiers in order to catch developments under State significant development approvals and transport oriented development approvals.

In addition, all community housing providers will be required to list their community housing assets, whether or not they are community housing assets as defined under community housing legislation. The purpose of that provision is to ensure that our understanding of affordable housing is as thorough and accurate as it can be. The register will be in two parts: that which is de-identified and made publicly available, with its content determined by the Registrar of Community Housing; and a further part that is not publicly available and contains a broader set of information, including personal information such as street address, title information, registered owners' details and responsible housing managers' details. No tenant details will be made publicly available.

Current development approvals have been notified to the registrar through the Planning Portal for about 1½ years now. That is in the early stages, and the bill will enable that register to be developed over time. Development approvers are defined as either consent authorities or certifiers and must notify the registrar of past affordable housing approvals unless there is a reasonable excuse. Many councils have not only indicated a willingness to help in this regard but are ready and willing to do so. They are waiting for this bill to pass.

Responsible housing managers and development approvers may be asked to update or verify information on the register up to once a year. The registrar may register an individual or entity as an affordable housing manager in a form approved by the registrar. A development approver that grants development approval that includes registrable dwellings must not issue an occupation certificate for the development unless it is satisfied that the dwellings have been registered on the register of affordable housing, that a responsible housing manager has been appointed to manage the dwellings and that an affordable housing restriction is registered on the title.

Persons given development approval will be obliged to ensure that an affordable housing restriction is registered on title and to appoint a responsible housing manager to manage the dwellings, unless they are themselves registered as a manager. Failure to abide by this provision attracts a penalty. The maximum penalty for an individual is 25 penalty units, and otherwise 100 penalty units. This provision will seek to ensure that compliance is in place for the entire time that a dwelling is registered for use as affordable housing.

Owners of a registered affordable housing dwelling must ensure that the property is managed in accordance with the guidelines by a responsible housing manager. A responsible housing manager is either an affordable housing manager or a community housing provider. Owners will be required to appoint new responsible housing managers within 60 days where an existing agreement ceases, and provide notice to the registrar of the new appointment within 14 days. A breach of these obligations by an owner carries a maximum penalty of 25 penalty units for an individual, and 100 penalty units otherwise.

A breach notice will be issued before the imposition of any penalty for affordable housing managers, to give them an opportunity to respond. A responsible housing manager appointed to manage a registrable dwelling must manage the registrable dwelling in accordance with my guidelines. Notice must also be given to the registrar if there is a change in ownership, if the manager ceases to manage the registrable dwelling or if any other matters prescribed by the regulations change. The maximum penalty for an individual is 25 penalty units, and otherwise 100 penalty units.

An affordable housing manager will not be able to gain government assistance unless they make an application to become a community housing provider and are assessed and approved under the relevant national regulatory scheme for community housing. The bill makes provision for the preparation of regulations of affordable housing managers, including the conditions of registration of managers, ongoing compliance, the auditing of affordable housing managers in accordance with the guidelines, and the exchange of information between the registrar and other entities, including the Rental Commissioner.

Housing agencies must consult with and provide relevant information to the registrar on any matter which may affect a community housing provider's performance under the National Regulatory Code, which is set out in schedule 1 to the Community Housing Providers National Law (NSW). Housing agencies have a large role to

play in the development of the community housing sector. It is therefore prudent to involve the registrar in significant community housing projects or programs well before entry into these types of projects or programs. The registrar may provide non-binding recommendations or suggestions to housing agencies and to me as the Minister for Housing.

The housing agencies must notify the registrar of a material breach of a community housing provider's community housing assistance agreement. This makes for a more consistent and coherent regulatory response, but it does not affect the registrar's independence. Housing agencies must also notify the registrar of the ceasing of funding of a provider. Once again, this makes for a more consistent and coherent regulatory response. Finally, a housing agency must notify the registrar of a proposed community housing assistance agreement which may impose a significant burden on a community housing provider or is not in keeping with usual industry practice.

These mechanisms will drive efficiencies, maintain transparency between the housing agencies and the registrar, allow the registrar to make non-binding, proactive recommendations to the relevant housing agency, and overcome any doubt that either housing agencies or the registrar's office may have over the non-disclosure provisions of their respective Acts. This consultative process is consistent with a more proactive role on the part of the registrar's regulatory function and is supported by the objects of the Act. If a document contains commercial-in-confidence information or other restrictions, then that document will be secured from access by any third party.

The reforms contained in this bill mark a deliberate and necessary escalation in compliance and enforcement powers afforded to the community housing provider registrar. These changes are not merely technical; they are a decisive assertion of regulatory authority in a space that has for too long been exploited by opportunists. This Government has undertaken a suite of planning reforms designed to not only stimulate private sector housing but also actively incentivise the delivery of affordable housing.

This dual agenda—market efficiency paired with social responsibility—demands an enforcement regime capable of withstanding the predictable pushback from those who seek to game the system. There will inevitably be a minority who attempt to exploit these reforms for private gain, undermining the integrity of a framework built to serve the people of New South Wales. That is why this compliance structure is designed with both prevention and penalty in mind: to deter malpractice before it occurs and to impose significant financial consequences—potentially tens of thousands of dollars—on those who ignore the rules. There is no tolerance in this Government for rogue developers, unscrupulous builders or predatory agents siphoning public benefit for private profit. This system is built to deliver secure affordable housing for those who need it, and it will be enforced accordingly.

To be very clear, if a private developer is receiving the benefit of a height or floor-space ratio bonus under the planning system and is required to deliver affordable housing to receive that benefit, this bill will ensure that that affordable housing is actually delivered, consistent with the Minister's guidelines for affordable housing. The bill also prescribes that the Aboriginal Housing Office is a housing agency under the Act. It is presently a housing agency under the Community Housing Providers (Adoption of National Law) Regulation 2023. The Aboriginal Housing Office is, of course, a housing agency under the community housing regulation. This change merely regularises its status as a housing agency on a permanent basis. It is appropriate that the housing corporation, the housing secretary and the Aboriginal Housing Office be declared as agencies under section 8 (b) of the Act for the purposes of the national law. This allows the provision of relevant information to each housing agency by the registrar and allows for each housing agency to be eligible to receive community housing assets in the instance a registered community housing provider is wound up.

This bill declares Commonwealth Government assistance to community housing providers through the various Housing Australia programs as community housing assets. It is appropriate that the various programs and dwellings funded by Housing Australia, such as the Housing Australia Future Fund, should be declared as community housing assets under section 4 (1) (e) of the national law, to maintain the integrity of the community housing sector by way of reporting and the protection of assets through the wind-up provisions. No disadvantage accrues to Housing Australia by reason of this declaration. This provision does not, of course, apply to public authorities who may be funded under the Housing Australia Future Fund. The bill amends the Act to allow the Minister to appoint an acting registrar where there is no incumbent registrar—a relatively minor administrative change.

In conclusion, this bill puts New South Wales in a good place to appropriately regulate the developing and growing sector of affordable housing in New South Wales. No other State or Territory in Australia has taken this step. New South Wales is once again leading the way in housing. This bill will make clear that there is a distinction between the community housing sector, which receives Government assistance in the form of grants and subsidies, and that part of the affordable housing sector which is important in providing housing to persons on low to moderate incomes but which does not receive that assistance. It is a necessary and important part of the overall

housing solution to encourage affordable housing as much as we can, both through community housing, which will receive Government subsidies and grants and benefits, and through affordable housing managers, who will receive planning benefits but will have a lower regulatory burden.

I thank all of the stakeholders who made submissions to the consultation paper. That includes the Community Housing Industry Association NSW, the Aboriginal Community Housing Industry Association, Landcom, the Urban Taskforce, Shelter NSW, Aware Super, Faith Housing, the Rental Commissioner, the Office of Local Government, Housing Australia and various community housing providers and local councils. I commend the bill to the House.

Debate adjourned.

SUICIDE PREVENTION BILL 2025

First Reading

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

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

Statement of public interest tabled.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (16:49): According to standing order, I declare the bill to be an urgent bill. It goes without saying that the issue of suicide prevention is critically important to the State. The Suicide Prevention Bill 2025 is an election commitment of the Government. It has been subject to comprehensive consultation. The bill requires the Mental Health Commission to establish a suicide prevention council and a suicide prevention plan, which is urgent work. We want to get the bill passed to empower the Mental Health Commission to get on with that work. It is urgent that the Parliament deals with those matters and the Mental Health Commission gets on with the work of establishing that council and developing and implementing that plan.

Dr Amanda Cohn: Point of order—

The PRESIDENT: There is at least one other member who wishes to speak on the issue. Is that where you are heading, Dr Amanda Cohn?

Dr Amanda Cohn: Yes, and I also take a point of order under Standing Order 146.

The PRESIDENT: There is no need for the member to take that point of order. Is the member about to say that she would like to speak against the declaration of urgency?

Dr Amanda Cohn: I would like to speak against it, but that is not my point of order. Standing Order 146 states, "a Minister may declare the bill to be an urgent bill, provided that copies have been circulated to members". My understanding is that not all members have been provided with a copy of the bill.

The PRESIDENT: We are currently operating under Standing Order 145 rather than Standing Order 146, because of where we are in the parliamentary sitting calendar. Therefore, Standing Order 145 applies, not Standing Order 146.

Dr Amanda Cohn: Point of order: Under Standing Order 145 (2), the motion may only be moved if copies of the bill have been circulated to members. It is the same provision as Standing Order 146.

The PRESIDENT: It is a learning experience for all of us. I uphold the point of order. We need to ensure that copies of the bill have been circulated to all members. Copies are now being handed out by the attendants. Standing Order 145 (2) has now been complied with. Urgency has been sought and at least one member wishes to speak on whether it should be granted or not. For the benefit of members, the Minister is entitled to speak for up to 10 minutes on the issue of urgency, which she has done. The Leader of the Opposition or a member nominated by the Leader of the Opposition is also entitled to speak for up to 10 minutes if they wish. Two crossbench members, not of the same party, are able to speak for no longer than five minutes each.

The Hon. NATASHA MACLAREN-JONES (16:53): The Opposition supports the declaration of urgency.

Dr AMANDA COHN (16:53): The Greens oppose the declaration of urgency on the Suicide Prevention Bill 2025. Firstly, I make it clear that the issue of suicide prevention and debate on the Suicide Prevention Bill itself is important to every community that we represent. The Government released a discussion paper on the topic and on its proposed legislation in June 2024 and has been undertaking significant consultation across the sector, including with The Greens. We are grateful for that opportunity. Last year, when pushed on the time frame for

the bill, the Minister for Mental Health rightly said that it is important to get it right rather than do it quickly. Those were the Minister's words, not mine. It does not make sense in that context for the bill to now be deemed urgent. The bill does not have an associated budgetary allocation. It does not need to be done before the budget is delivered. It needs to be done right.

Again, we are grateful for the opportunity to consult, but the draft copy of the legislation that we received from the Government differs from the bill being tabled. Changes have been made to the legislation in the past week, despite extensive consultation over this term of the Parliament. There is no substantive reason for the bill to be considered urgent. For anyone trying to understand why it could possibly be urgent, at the eleventh hour, the more cynical among us might think that it is politically motivated and has to do with other legislation that is before the Parliament this week and the impact it will have on mental health. It is unacceptable to now rush through this important piece of legislation for political reasons. I urge the Government to deal with the bill at the pace that it deserves and to do it right rather than do it quickly, as the Government said it would do.

The PRESIDENT: The question is that the bill be considered an urgent bill.

The House divided.

Ayes30
Noes5
Majority.....25

AYES

Banasiak	Houssos	Moriarty
Borsak	Jackson	Munro
Buckingham	Kaine	Murphy
Buttigieg	Lawrence	Nanva (teller)
Carter	MacDonald	Overall
D'Adam	Maclaren-Jones	Primrose
Donnelly	Martin	Sharpe
Fang (teller)	Merton	Suvaal
Farlow	Mitchell	Tudehope
Graham	Mookhey	Ward

NOES

Boyd (teller)	Fachrmann	Latham
Cohn (teller)	Higginson	

Declaration of urgency agreed to.

Second Reading Speech

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (17:03): I move:

That this bill be now read a second time.

I introduce the Suicide Prevention Bill 2025 today with a deep sense of compassion for every person and family touched by suicide, and with a commitment to driving real change. The bill fulfills a Government election commitment to introduce legislation to enshrine a whole-of-government approach to suicide prevention and to better understand, prevent and respond to suicide and suicidal distress across New South Wales. Suicide is a deeply complex and deeply human issue. It touches families, friends, workplaces and communities. It leaves behind grief, questions and absence. It goes without saying that too many lives have been lost and too many people have struggled to find help when they needed it most. The bill is the result of extensive consultation across the State to confront that challenge head on.

We have spoken with hundreds of people who have lost loved ones, with those who have lived through suicidal distress, with those who have supported others in their workplaces, with communities and families who are experiencing suicidal distress, and with the services and sectors that support them. This consultation was led by peak body Suicide Prevention Australia and Aboriginal owned and led consulting firm First Nations Co. I place on record my deep thanks and gratitude to both Suicide Prevention Australia and First Nations Co. for the comprehensive, empathetic, thoughtful and deeply engaging consultation process that they engaged in. This was not mere tick-a-box consultation. When we made the commitment to do suicide prevention legislation, we wanted to do it right. We wanted to take the time to have those thoughtful conversations. Both of those organisations did

wonderful work on behalf of not only the New South Wales Government but also the voices they wanted to project into this process. I am incredibly grateful for the outcomes of that engagement.

The consultation was specifically targeted at Aboriginal people because, sadly, they are disproportionately represented in our statistics on suicide. It was important to me that their voices were heard. They are reflected in the bill before the House today. I thank every individual, family, organisation and community that contributed their voices to the consultation process. I recognise that having conversations about this topic can be difficult. Stigma still exists. There is shame and grief. The experiences, insights and courage of those people who participated in the consultation are at the heart of the bill.

The purpose of the bill is to recognise that the drivers of suicide and suicidal distress are varied and often rooted in people's broader life circumstances. Relationship breakdown, housing instability, discrimination and trauma are just some examples. We know that approximately half of the people who die by suicide have had no contact with the health system in the year prior to their death. I urge members to reflect on that statistic: The first time that we know that half of the people who die by suicide every year are struggling is when we lose them. Clearly, a health system and health-led response is not comprehensive enough to capture the variety of reasons that an individual in our community may be experiencing suicidal distress. The bill is directly aimed at addressing that challenge. It enshrines a whole-of-government, preventative approach to suicide. It recognises that suicide prevention is not just a health issue but a whole-of-government issue that requires a whole-of-government response. I want to be clear that the bill is not about creating a punitive system or further stigmatising suicide. It is about compassion, coordination and prevention.

The bill will task the Mental Health Commission with preparing and supporting the implementation of a statewide suicide prevention plan and a statewide Aboriginal suicide prevention plan. The plans must have regard to the needs of people disproportionately impacted by suicide, the need to increase suicide prevention capability across government departments and agencies, the effects of infrastructure and urban design, and the needs and perspectives of people with a lived or living experience of suicide. The statewide plan will provide a clear framework for government accountability so that suicide prevention is not siloed or optional but embedded into the business of government. The Mental Health Commission is already charged with monitoring, reviewing and advocating to improve the mental health and wellbeing of our communities, so clearly it is well placed to drive this whole-of-government approach to suicide prevention.

The bill also establishes the Suicide Prevention Council and the Aboriginal Suicide Prevention Council. The councils will advise the commission about the preparation, implementation and review of the statewide plans, and provide advice to the commission about improvements to suicide prevention. The Suicide Prevention Council will be comprised of people with diverse expertise and experiences, including members who are representatives of population groups disproportionately impacted by suicide, people with professional or academic expertise, and people with a lived and living experience of suicide. Members of the Aboriginal Suicide Prevention Council will comprise Aboriginal people with lived and living experience, Elders, Aboriginal people in leadership positions, people with professional or academic expertise in Aboriginal suicide prevention, and other individuals and organisations with expertise relevant to Aboriginal suicide prevention, ensuring a genuine focus on self-determination.

We know that it is vital that the voices of people with lived and living experience are front and centre in shaping how we respond. I will add at this point that it is not just because it is the right thing to do to ensure that those individuals' voices are heard and to give them the dignity of some ownership over a policy response; by listening to the voices of lived and living experience, fundamentally our policy response is better. The bill is about requiring all of the different agencies of the New South Wales Government to reflect on how their activities can contribute to reducing suicidal distress, and the only way that they are going to know that is by listening to people with lived and living experience. The only way that Transport for NSW, the New South Wales education department, the NSW Police Force—whatever agency is being talked about—are going to be able to reflect on how their work, which they may not see as particularly relevant to suicide prevention, is, in fact, linked in some way to that cause is by listening to people who have actually lived through it.

Under the bill, each government department, the NSW Police Force and other prescribed agencies will be required to develop a suicide prevention action plan for its agency. It is expected that all government agencies will be covered by a suicide prevention plan, either the agency's own specific plan or as part of a larger departmental plan. The details of how that will be stepped through will be, again, informed by the Suicide Prevention Council, which is able to bring that perspective of lived experience to whether we need to provide specific plans or whether departmental plans will be sufficient.

The action plans will be informed by the statewide suicide prevention plan and the statewide Aboriginal suicide prevention plan; however, the agency plans will be concrete, agency-level strategies that consider and address agency-related matters that can contribute to suicide prevention, looking internally at the culture and

functions of that department or agency. That may well involve, for some departments and agencies, what they can do to better support their own staff—particularly if their staff are frontline workers or work in emergency services—to help them deal with suicidal distress. Because we know, for example, that certain groups within the New South Wales public service, particularly our first responders, are over-represented when it comes to suicide and suicidal distress. So part of the action plan may be an internal focus on culture and improvement within the department or agency's own workforce. But also, incredibly importantly, it will not just be internal. They will also look externally at the way that they interact with members of the public and how those interactions can potentially contribute to suicidal distress and what they can do to address that issue.

The plans will include increasing suicide prevention capabilities, and training and education for staff. That will be beneficial for staff in their interactions with members of the public, as well as for their interactions with each other, their families and the wider community. A good example of that, and some work that is already happening, although it is not embedded in an agency action plan and overseen by the council, is the work that Transport for NSW does with its staff that work at train stations. We know that, for example, train stations can be places where people who are experiencing suicidal distress will occasionally go. Those station staff who work on the ground would not necessarily see themselves as having the capabilities to respond to someone or engage with someone who they are concerned may be exhibiting behaviour that is suggestive of suicidal distress.

Transport for NSW has done some work engaging with those staff on that question, but I think it is going to be a fantastic opportunity, when it develops its agency action plan, to really think about how it can ensure that those frontline train station staff have got the skills that they need to respond in circumstances where there is someone exhibiting suicidal distress at a station. The bill will help ensure that staff, particularly in public-facing roles, are better able to respond to people presenting in distress in a caring and compassionate way and make them aware of the supports that are available for them.

The commission will, on the direction of the Minister, report on the implementation of the statewide plan and agency plans, with details included in the commission's annual report. That is a particularly important provision as well because it is all well and good to have a plan—whether it is the statewide plan or the agency plan—but those plans do not mean very much if they are not acted upon. It was really important to me in developing this legislation that we reflected on how it would not just be pieces of paper that sat on some agency website or in some bureaucrat's drawer and had no practical, concrete measures.

One of the ways that we have done that—obviously, having those voices of lived experience and the development of the plans was part of it—is the reporting, through the commission and through the Minister, in the commission's annual report, which is, of course, also tabled to Parliament. That will ensure that it is not just the existence of the plan that is important but also whether or not it is actually being implemented. I am very hopeful that agencies will all embrace this work and be enthusiastic about getting on with the job. I am sure many will. But it does go without saying that there is the potential for mixed enthusiasm across agencies to actually do this work. I am not shy about the fact that we are putting on record that there is an expectation that the plans are actioned and that there will be accountability and review through the commission, the Minister and the Parliament about whether or not agencies have done the things that we expect them to do.

The bill will also require the Health secretary to establish and maintain a register of deaths by suicide and suspected suicide, which, in effect, embeds in legislation the existing New South Wales Suicide Monitoring System. The New South Wales Suicide Monitoring System is a partnership between NSW Health, the Department of Communities and Justice, the Coroners Court and New South Wales police. It provides reporting on suspected and confirmed deaths by suicide, and is used to inform policy and investment decisions, provide de-identified public reporting and support thorough critical incident reviews by our health services. The existing Suicide Monitoring System is working well, and it is important that there is a clear legislative base for the ongoing use and safe disclosure of that important data asset.

As one personal example of the value of the Suicide Monitoring System data and why it is important that it is embedded in legislation, one of the things I noticed as the Minister for Mental Health, as that data was being provided to me, was the clear and disproportionate over-representation of men in our suicide prevention data. That is something that comes through very clearly in that data. It was off the back of that, and really noticing that that was a significant discrepancy in that dataset, that we initiated the first men's mental health round table in New South Wales, bringing together, again, lived experience, academic expertise and frontline organisations. We held it in the Parliament. Greg Inglis gave a fantastic address. He talked in an incredibly raw and powerful way about his own experiences.

As a result of the round table, we were able to establish the Men's Mental Health and Suicide Prevention Small Grants Program, specifically funding local, grassroots, on-the-ground organisations that were directly engaging with men in communities to try to reduce suicidal distress. I visited some of those small organisations we funded. They are doing incredible work in local communities, bringing together men. We all know that men

seek less help than women do. They are less likely to see their GPs and to reach out for help. Local groups, whether they are doing footy or coffee, a dedicated men's book group, biking group or walking group, are often where they feel much more comfortable with connecting with each other and opening up. That is just one example of how we can use the data we get through this suicide-monitoring system to inform action, policy, investment decisions and, obviously, hopefully, better outcomes.

Regional and remote communities, Aboriginal communities, LGBTQIA+ communities, culturally and linguistically diverse communities, people with disabilities, men and young people are all recognised as different communities with different challenges, and a one-size-fits-all approach will not work. The differences in these communities and the different responses that are required for them are embedded at the heart of this bill. We know that distress does not look the same for everyone, which is why we need to ensure that our prevention efforts are not only universal but also responsive to the needs of the populations at greater risk.

I thank everyone who has played a role in shaping this bill: countless families I have met with, who have engaged with my office, come along to consultation forums, participated in the work that Suicide Prevention Australia led and turned their grief into advocacy; the people who have survived suicidal crisis and are helping others find hope, whose courage is outstanding and inspiring; the carers providing ongoing support; the services supporting people day in and day out; and my colleagues across Parliament who have approached this issue with care and collaboration. The engagement, feedback, thoughtfulness, advocacy and activism of those individuals have fed into this bill. This bill is about shifting from crisis response to prevention. Of course, those words are easy to say. It is a much more difficult thing to do. This bill embeds that journey. We are moving from a fragmented to a coordinated response, with shared responsibility across government.

Of course, it goes without saying that this bill will not reduce suicide in New South Wales overnight. This is a bill with a long-term vision and a long-term ambition. It will take time to develop the suicide prevention plans and agency action plans and to embed a cultural change to refocus the complex issue of suicide prevention as a whole-of-government issue. It will take time to test whether the implementation of those plans has gone according to expectations, which bits are working and which bits need to be refined. It will be an iterative journey, but there is now a clear legislative commitment to walk on this path. All agencies across the New South Wales Government should focus on suicide prevention. The bill shows that in New South Wales we take suicide prevention seriously and lead with care and with humanity. I commend the bill to the House.

Debate adjourned.

GOVERNMENT SECTOR AUDIT AMENDMENT (PERFORMANCE AUDIT REPORTS) 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.

The Hon. JOHN GRAHAM: According to standing order, I declare the bill to be an urgent bill.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

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) (17:24): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Government Sector Audit Amendment (Performance Audit Reports) Bill 2025. The bill proposes amendments to the Government Sector Audit Act 1983, which I will refer to as the audit Act, to provide the Auditor-General for New South Wales with greater discretion to, in limited circumstances, delay the tabling of reports of performance audits in each House of Parliament. These amendments were requested by the Auditor-General and were prepared in consultation with the Audit Office. The Auditor-General has written to the chair of the Public Accounts Committee to inform the committee of the Auditor-General's request that the audit Act be amended.

The New South Wales Government is committed to ensuring that the Audit Office is an effective, strong and independent integrity agency. It is critical that our integrity agencies be equipped with appropriate legislative frameworks to enable the efficient and effective exercise of their principal functions. All members will know that

the Auditor-General plays a crucial role supporting this Parliament, in holding both the State Government and local governments accountable for their use of public resources. A key part of that role is undertaking performance audits. Section 38EA of the audit Act provides that the Auditor-General may conduct a performance audit of the activities of an auditable entity to determine whether that entity is carrying out its activities effectively, economically, efficiently and in compliance with all the relevant laws. These audits assess government programs and services, providing valuable insights.

By conducting thorough evaluations, the Auditor-General helps identify areas for improvement, ensuring that public resources are used optimally to achieve desired outcomes. This function is vital for maintaining public trust and confidence in government activities, as it promotes the responsible management and stewardship of taxpayer funds. Performance audits conducted by the Auditor-General are essential for driving continuous improvement within the public sector. These audits go beyond financial scrutiny, to examine the operational aspects of government entities, assessing whether they are meeting their objectives and delivering services effectively. The findings and recommendations from these audits serve as a basis for enhancing performance. By highlighting successes and pinpointing deficiencies, the Auditor-General's performance audits contribute to the overall success of government operations.

Section 38EB of the Government Sector Audit Act 1983 provides that the Auditor-General must report the result of a performance audit and other matters that, in the Auditor-General's judgement, call for special notice to the responsible Minister for the entity, the Treasurer, the accountable authority for the auditable entity and any other relevant governing body. Section 38EC provides the Auditor-General must, as soon as practicable after making a performance audit report under section 38EB, present that report to each House of Parliament. By presenting these reports to Parliament, the Auditor-General ensures that the findings and recommendations from performance audits are subject to scrutiny by the Parliament and the public. This process provides for appropriate oversight of government programs and services. It also provides the Parliament with the necessary information to make evidence-based decisions, to allocate resources effectively and to shape policies that benefit the community.

This bill does not remove the essential requirement that the Auditor-General table reports in Parliament and in doing so make them public. Rather, this bill authorises the Auditor-General to exercise discretion as to when to table a performance audit report in limited circumstances when there are public interest reasons to delay the tabling of the report. The bill does not seek to limit the factors that are considered to be in the public interest. This will ensure that the Auditor-General has appropriate flexibility to determine, in their discretion, when such a delay is justified and appropriate. By providing such discretion, the bill will allow the Auditor-General to work with audited agencies to address particular vulnerabilities or sensitivities that may be identified in reports, before they are tabled and made public.

However, I anticipate that this may include public interest concerns such as whether the disclosure of information in a performance audit report could prejudice relations with another State or the Commonwealth; prejudice the commercial or other interests of a particular party; prejudice an investigation or proceeding by disclosing sensitive law enforcement information; or create other risks to the security or safety of the public. This bill is not without precedent. At the Commonwealth level, section 37 of the Auditor-General Act 1997 provides that the Commonwealth Auditor-General must not include information in a public report if they are of the opinion that disclosure of the information will be contrary to the public interest for certain specified reasons. Further, section 64 of the Victorian Audit Act 1994 provides the Victorian Auditor-General with a discretion to have regard to public interest considerations when disclosing matters in reports.

I now turn to the contents of the bill. Schedule 1 makes amendments to the Government Sector Audit Act. Schedule 1 [1] proposes to replace section 38EC (1) with a new provision that provides:

- (1) The Auditor-General must, as soon as practicable after making a report under section 38EB—
 - (a) present the report to each House of Parliament, if that House is sitting, or
 - (b) if the Auditor-General does not consider it in the public interest to present the report to each House of Parliament as soon as practicable after making the report—
 - (i) present a notice to each House of Parliament, if that House is sitting, that states the Auditor-General's intention to present the report—
 - (A) by a date specified in the notice, or
 - (B) after the occurrence of a particular event specified in the notice, and
 - (ii) present the report to each House of Parliament, if that House is sitting—
 - (A) no later than the date specified in the notice, or
 - (B) as soon as practicable after the occurrence of the particular event specified in the notice.

The bill makes other minor consequential amendments. Schedule 1 [2] to the bill amends section 38EC (2) to insert "or notice" after "report" wherever occurring.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): Order! According to sessional order, it being 5.30 p.m., proceedings are interrupted for debate on committee reports and Government responses.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. CAMERON MURPHY: I postpone committee reports and Government responses Nos 6 and 9 to 14 until the next sitting day.

Committees

JOINT SELECT COMMITTEE ON THE NSW RECONSTRUCTION AUTHORITY

Reports

Debate resumed from 11 February 2025.

The Hon. STEPHEN LAWRENCE (17:32): I contribute to debate on report No. 1/58 of the Joint Select Committee on the NSW Reconstruction Authority entitled *Review of the NSW Reconstruction Authority Act 2022*. I make a couple of comments about the NSW Reconstruction Authority [RA], which was, of course, the subject of the committee inquiry. The RA was established in December 2022 under the NSW Reconstruction Authority Act 2022. It is improving how New South Wales plans for disasters and supports communities to recover faster. The RA has four areas of responsibility: adaptation, mitigation, preparedness, recovery and reconstruction. Key responsibilities of the RA include the State Disaster Mitigation Plan, regional disaster adaptation plans, the NSW Recovery Plan and the coordination of the Disaster Recovery Funding Arrangements.

To date, the RA has undertaken a number of major projects, including the development of Australia's first State Disaster Mitigation Plan, which supports the Government's commitment to make our community safer, more resilient and better prepared to face the challenges of disasters. The updated NSW Recovery Plan has been implemented across New South Wales and was used in response to events in Broken Hill and the Far West in 2024. Of course, it will also be relevant to more recent events. The RA also manages the administration and delivery of the Resilient Homes Program and the Resilient Lands Program, the first of its kind in Australia. It is being delivered to those affected by the 2022 flooding events.

In November 2023, the Joint Select Committee on the NSW Reconstruction Authority was established, as provided for in the NSW Reconstruction Authority Act. The committee reviewed the Act to determine if the policy objectives remain valid and if the terms of the Act are still appropriate to achieve its objectives. I was pleased to be a member of the committee. The committee tabled its report on 28 November 2024. It makes 10 recommendations that are mainly operational in nature, or represent a continuation and strengthening of the current practices of the RA. We recommended amending the RA Act to require a review of the Act five years from assent; to clarify the role of the committee in further reviews; and to require the provision of a report to Parliament annually, listing each exercise of the RA's powers.

We also recommended that any future review of the RA Act consider whether the Act should explicitly refer to principles such as Aboriginal and Torres Strait Islander self-determination, the psychological trauma of disasters and ecologically sustainable development. We recommended reviewing the RA's functions to ensure alignment with the functions of emergency services. The committee asked the Government to consider issuing guidance or clarifying how the RA's powers intersect with planning laws and issuing guidance on the alignment of the RA's functions with the roles and responsibilities of our local councils. The committee recommended amending the RA Act to introduce a legislative requirement for exercising State recovery arrangements.

The committee also recommended that the Government consider whether its regulations should explicitly set out guidelines for data sharing with other agencies, and the RA's relationship with community service providers. The Government response is being led by the Cabinet Office, in close consultation with the RA, and was due on 28 May 2025. Given that many New South Wales residents live in disaster-prone areas and nearly all communities across the State have experienced a disaster since 2019—and, of course, with recent events and developments up north—disaster recovery is very much at the forefront of our minds. The opportunity to further improve the functions of the RA so New South Wales can take a more focused approach to recovery, reconstruction, mitigation and adaptation is very welcome indeed.

Ms SUE HIGGINSON (17:36): I contribute to debate on report No. 1/58 of the Joint Select Committee on the NSW Reconstruction Authority entitled *Review of the NSW Reconstruction Authority Act 2022*. I acknowledge the points made by my colleague the Hon. Stephen Lawrence, who pointed out some of the

recommendations of the report. I comment on a couple of the report's findings and recommendations. First, I acknowledge what members of the Mid North Coast community are going through right now, and the horrors and stories that will keep getting told, as well as the recovery efforts. There is nothing like flooding events, which the Mid North Coast is still suffering from right now. They change lives forever. They permanently disfigure landscapes. We lose lives. We lose businesses. We lose homes. We lose memories. We lose hopes. We lose so much through the climate-fuelled disasters that we are now experiencing like they are the new normal.

I acknowledge that this was a review of the legislation and its objectives. These reviews are an incredibly important function of the operation of legislation and how it applies, and an important function of a statutory oversight committee. I recall that when we first commenced this inquiry and held the first hearing, the mayor and general manager of a council in my community turned up to give evidence. I remember quite starkly their disappointment that we were looking at the mechanics of the Act and not the operations on the ground of the Reconstruction Authority. As a member of the committee, I take that on board. How can committee members better do their job—including looking at something as mechanical as whether the objects of the Act are still relevant—when we are relying so heavily on members of the community who have been so radically impacted by the disasters that the Reconstruction Authority is charged with dealing with?

The notion of trauma-informed work came up throughout the hearing. Unfortunately, we need to get a bit better at that. I think members of this place get better at it one by one because they end up on the front lines or it is their community that is impacted. It will not be long before every community in this State is impacted as radically as some have been. That is the nature of a changing climate that fuels more extreme disasters more frequently—no-one is going to miss out. One recommendation was about the Reconstruction Authority considering issuing guidelines so there is more understanding of the way it exercises its incredibly broad powers. The Reconstruction Authority has powers that I do not think any other authority has ever seen in the history of New South Wales, particularly in the way it can interact with both the built and natural environments and the communities who live there. Issuing guidelines about how it will use its breadth of power is really important.

I am certain that the Reconstruction Authority will respond to the recommendations and implement them in full. I know we have not seen the Government response yet. It was due on 28 May but will be delayed because the poor Minister is racing around still—and will be for some time—dealing with the Mid North Coast disasters. Of course, the Government response is going to be late. That is something that we just have to deal with. But I know the culture of the Reconstruction Authority, and I am pretty certain it will listen and take on board the recommendations. One instance that was highlighted in my impacted community of Lismore was seeing the authority start demolishing homes that it had bought back. No matter how we look at it, that could have been done a bit better in terms of community's understanding of why those houses, why that time and so on.

Guidelines and better instruments of communication will benefit the Reconstruction Authority, the Government, the Minister responsible, local members who are not in government and MLCs who sit on the crossbench or Opposition benches. Those guidelines will also help us to communicate to the communities we are connected to a better understanding of why the Reconstruction Authority is exercising particular functions at any given time. The reality is that any person who seeks to demolish a building has to put in a development application and there are advertising requirements. The Reconstruction Authority clearly does not have to do that. It has extra powers that exempt it from the ordinary laws of New South Wales. That being the case, there really must be a higher burden. The recommendations of the report are timely, although possibly a little late in terms of the demolition of premises in the Northern Rivers. Better guidelines would have been useful, but this is an important report overall. The findings and recommendations will, without doubt, make a better functioning Reconstruction Authority. We look forward to the Government response.

We acknowledged in the inquiry that the Reconstruction Authority is new still. It is an authority in its infancy. Notwithstanding that, it has needed to have its skates on to speed through some of the unprecedented disasters that we have experienced. As the Hon. Stephen Lawrence said, these disasters are rolling. There have been many. Obviously, the Northern Rivers Reconstruction Corporation kind of morphed into the Reconstruction Authority, and some groundwork was done in that corporation. There were some lessons learned about what not to do, what to do and how to do things better. Notwithstanding its infancy, the Reconstruction Authority is doing largely an unbelievable job. The kind of efforts that are required of it are Herculean. As I said, the report is timely, the recommendations are sound, and I look forward to the response.

Going back to the point on guidelines, when we have buyback schemes and relocations, we know that the Reconstruction Authority will have to deal with the hard edges of adaption. There is no room to adapt to the new system of disasters that we are experiencing and what that means. As the joint committee goes forward with its next tranche of work, we and the Parliament will need to assist the Reconstruction Authority at a very deep level to make sure the planning, disaster mitigation, adaption and recovery systems are all properly integrated so that we do not carry on just putting people in the unsafe path of disasters. The Reconstruction Authority is an incredibly

well-placed authority to take the lead in advising government and doing the good work it does to not just recover communities but also ensure that they continue to be built back in a safe, resilient way.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - REGIONAL NSW

Report and Government Response

Debate resumed from 11 February 2025.

The Hon. MARK BANASIAK (17:47): I refer to the report entitled *2023 Inquiry into the operation of the approved charitable organisations under the Prevention of Cruelty to Animals Act 1979*. Portfolio Committee No. 4 came back for round two digging into RSPCA NSW and the Animal Welfare League, the two charitable outfits that are tasked with enforcing the Prevention of Cruelty to Animals Act 1979, or the POCTA Act. Our 2021 inquiry heard from the RSPCA that the New South Wales Government's funding was kneecapping the ability of those two groups to enforce animal welfare laws and putting their inspectors in dicey work health and safety situations. The committee asked for an urgent review to properly bankroll the charities' compliance enforcement work, particularly in the area of inspectors going out in twos, but more cash had to come with tighter strings, proper acquittals, detailed reporting and performance standards. No more blank cheques.

Post-2021 the Government loosened its purse strings. Some big grants rolled out before the 2023 election. Was that to buy votes? Probably. More cash was tossed in again in November 2024 to support the inspectors going out two at a time. But here is the kicker: The oversight was still flimsier than a paper towel in a hurricane. The committee has been pulling its hair out in this inquiry trying to figure out where the 2023-24 money went and what it did for animal welfare. We heard whispers that some of the cash was spent in ways that would make a shady car salesman blush, like giving brand-new cars to outgoing inspectors as some sort of going-away present. These charities do need stable, long-term funding, but the committee recommended that the New South Wales Government should strap on some serious accountability measures.

This year's inquiry also dragged up old gripes about transparency and accountability in how these charities handle their law enforcement gigs. Recent tweaks to the POCTA Act are a nice start, but it is like putting a bandaid on a broken leg. Then came a real gut punch: piles of confidential evidence about the RSPCA NSW inspectorate's workplace culture and governance. Spoiler alert: It is a mess. We are talking of a workplace vibe so toxic that it resembles the script of *Mean Girls*. RSPCA NSW needs a top-to-bottom overhaul to make it a place where people do not dread clocking in and can actually enforce animal cruelty laws without tripping over internal drama. Here is hoping it steps up. It would be wrong to say it is a circus without a ringmaster, because most of the evidence pointed to the fact that the ringmaster was part of the problem, and the board was an overpacked clown car.

The New South Wales Government is now making some noise about reforming the animal welfare framework and setting up an Independent Office of Animal Welfare, but everyone else is squinting into the fog, wondering what that means for the charities' roles and funding. Our advice would be to fix the glaring issues we have flagged in the two inquiries as the Government builds this new system, and figure out how this shiny new Office of Animal Welfare will play nice with the charities to ensure animal cruelty laws are enforced without the inappropriate expenditure and the toxic workplace culture.

I turn to the recommendations in detail. Recommendation 1 states that the New South Wales Government must ensure that recurrent grants to approved charitable organisations [ACOs] come with greater rigour and oversight. In other words, the committee is basically saying, "Stop handing out cash like it is Halloween candy and actually check what these charities are doing with it." It is 2025, and we are still begging for basic accountability. These charities are out here playing animal welfare cops with our tax dollars, yet the oversight is so weak that it makes a screen door on a submarine look sturdy. Clear reporting obligations is not a recommendation; it is a bare-minimum demand. The fact we need to spell this out after millions have already been funnelled to these groups is ridiculous. The New South Wales Government should demand itemised reports, trackable metrics and actual proof that these charities are saving animals and not just paying for five-star hotels and mini bar raids, which also came out during the inquiry.

Recommendation 2 states that the New South Wales Government should implement a standardised annual reporting framework for the ACOs to ensure sufficient transparency and oversight. Once again, the committee is shouting into the void for a standardised reporting framework like it is some revolutionary idea. Newsflash: If we give charities the power to enforce laws, we do not let them operate like they are Johnny Tightlips from *The*

Simpsons. The fact that we are still begging for this in 2025 is like asking a chef to wash their hands before cooking. It should not need a committee to make it happen.

RSPCA NSW and Animal Welfare League are out there wielding badges and our public funds, yet their operations are murkier than a swamp at midnight. A standardised framework is not just a good idea; it is the only way to stop these groups from treating public money like their personal slush fund. Let us be real: Without hard metrics and public reports, how do we know they are not just rescuing goldfish while the real animal cruelty cases get buried under paperwork? The New South Wales Government should quit dragging its feet and build a system that forces these charities to show the work, or we are just funding a feel-good facade.

Recommendation 3 states that the New South Wales Government must address the workplace culture and governance issues within RSPCA NSW. The committee is basically stating that the workplace of RSPCA NSW is a dumpster fire. A safe and effective work environment is not a high bar; that is the floor. Confidential evidence piling up about toxic culture and governance screw-ups means inspectors are probably spending more time dodging that internal drama than saving animals. This is not just a "whoops, bad vibes" problem; it is a straight-up failure to deliver on its core mission. If the workplace is so toxic that it is scaring off talent and tanking enforcement, it is not a charity; it is a liability. The New South Wales Government cannot just nod sympathetically and hope that RSPCA NSW figures it out. It needs to roll up its sleeves, demand a full audit and force a cultural reset—think less "thoughts and prayers" and more "clean house or lose funding". If the inspectors are burnt out or quitting, the animals are the ones that pay the price.

Recommendation 4 was that, as part of any future funding arrangements with the ACOs under the Act, the New South Wales Government and the Minister consider the committee's findings and recommendations of this inquiry to ensure stronger government oversight—in other words, "Stop treating these charities like they are your buddy who promises to pay you back after a night at the pub." Currently, these groups are about as accountable as a toddler with a crayon budget. Recommendation 5 talks about the review of the Prevention of Cruelty to Animals Act, and that the Government consider ways to improve efficiency and reduce complexity. Currently, the Act reads like a 500-page "choose your own adventure" novel written by a drunk lawyer. I will leave my remarks there.

Recommendation 6 states that New South Wales Government should address issues identified in this and previous inquiries as it develops its approach to animal welfare law reform and should consider the relationship between the Independent Office of Animal Welfare and the approved charitable organisations. This is not revolutionary. The Government is hyping up this shiny new Office of Animal Welfare, but if it does not address the steaming pile of problems from these inquiries, it is just rearranging deck chairs on the Titanic. The charities are already stretched thin, under-scrutinised and, in many cases, drowning in their own dysfunction. Adding a new office without a clear game plan is like tossing a life raft with no oars.

The relationship between the new office and the charities needs to be crystal clear. Recommendation 7 is that, in reviewing the Prevention of Cruelty to Animals Act 1979, the New South Wales Government considers that relationship between the ACOs and the Independent Office of Animal Welfare, and how ongoing funding will be allocated. We need to know who is driving the animal welfare bus. Will it be the Independent Office of Animal Welfare? It sounds like a shiny new toy, but if we do not clarify how it would work with these charities, it is just another bureaucratic paperweight.

The Government's response is full of self-congratulatory comments. We would expect that from a middle manager who thinks "synergy" is a personality trait. But why did the entire committee, every last one of them, unanimously call for these fixes if they were already in place? Clearly, they are not. The argument that "we are doing it" is not cutting the mustard. Lastly, I thank the committee members who took part in this inquiry and the committee secretariat staff, who took the revelations of workplace culture issues and record-breaking subpoenas in their stride. I also thank the witnesses, particularly those brave workers who came forward to tell us that all is not well in Kansas. They were heard loud and clear by the committee. I just hope that the Government has its listening ears on too.

The Hon. EMILY SUVAAL (17:56): Portfolio Committee No. 4 – Regional NSW tabled its report entitled *2023 Inquiry into the operation of the approved charitable organisations under the Prevention of Cruelty to Animals Act 1979* in Parliament on 29 November 2024. The Government's response was tabled subsequently on 28 February 2025. From the outset, I thank the chair for his work in chairing and deftly manoeuvring what was at times a challenging chancing inquiry. I also thank, in particular, a number of brave staff who came forward and gave evidence to the inquiry. It helped inform the committee's views and added a lot of weight to the evidence that we received. I was personally very grateful for their bravery in coming forward.

The committee made a number of findings in its report relating to issues around funding, work health and safety, workplace culture, reporting and also the approved charitable organisations [ACOs] undertaking

enforcement roles. The committee also made several recommendations in its report, primarily relating to the need for increased oversight of ACOs by the department, as we heard from the Hon. Mark Banasiak, reporting by ACOs and the role of the Office of Animal Welfare. It should be noted that, in its response, the Government supported in principle all of the committee's recommendations.

The New South Wales Government has conducted a review of the funding that has been received by the approved charitable organisations, which are RSPCA NSW and Animal Welfare League NSW. In 2024-25 the Minns Labor Government committed \$12.5 million in funding to the ACOs for enforcement activities—"enforcement activities" being the operative word. Those funds are provided by way of a grant which was assessed in accordance with the grants administration guidelines, and ensures value for money of the New South Wales taxpayer.

The funding deeds entered into by the Government and the ACOs ensure that the Government receives value for money and that there is accountability and transparency in relation to how the funds are used. As members know, that has not always been the case. The ACOs are tasked with enforcement under the Prevention of Cruelty to Animals Act. They play an important role in ensuring animal welfare standards are adhered to across the State, and as such the Government is committed to ensuring they are fulfilling their responsibilities under the Act.

Last year the Minns Labor Government passed the Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Bill 2024, which enhanced oversight of enforcement bodies, including transparency requirements under the Government Information (Public Access) Act, NSW Ombudsman oversight and improved reporting, which the committee was astonished to hear was not the case, particularly in terms of some of the information the committee was seeking. In addition, the amendments mean reports provided to the Minister under the Prevention of Cruelty to Animals Act 1979 [POCTAA] will now be tabled in Parliament. That is just one step in the Government's plan to improve animal welfare outcomes in New South Wales, and it has much more to do.

The Minns Labor Government is currently progressing with its final animal welfare election commitments, including, as the previous member said, establishing a new office of animal welfare and progressing with a review of the Prevention of Cruelty to Animals Act 1979. As part of the review of the POCTAA, the Government and my colleague the Minister for Agriculture, and Minister for Regional New South Wales will consider the issues raised by the committee. The Government is also considering the role of an office of animal welfare, as is highlighted in the Government response to the inquiry.

The Minns Labor Government is committed to improving animal welfare standards across the State, and that commitment includes ensuring that ACOs are fulfilling their obligations under the POCTAA and responsibly spending the taxpayer funds they receive. The Government supports the recommendations of the inquiry to take a stronger oversight role of the ACOs and will ensure that the New South Wales taxpayer continues to receive value for money through funding arrangements for ACOs, particularly as we head into the budget process for this year.

Debate adjourned.

JOINT SELECT COMMITTEE ON ARTS AND MUSIC EDUCATION AND TRAINING IN NEW SOUTH WALES

Report and Government Response

Debate resumed from 11 February 2025.

The Hon. ANTHONY D'ADAM (18:01): I take note of report No. 1 of the Joint Select Committee on Arts and Music Education and Training in New South Wales entitled *Arts and music education and training in New South Wales*. It is an excellent report. The issues that it canvasses are very important, and the series of recommendations and findings in the report are timely. I thank the committee participants. It was a very collegiate committee, and a number of people came to the committee's work with their unique perspective. The Hon. Jacqui Munro has a passion for music and the saxophone. Often in this place we do not get much of a chance to deal with some of the lower House members, get to know them and see what makes them tick. Kevin Anderson impressed us with his guitar playing at a number of our site visits.

The Hon. Rose Jackson: On a number of site visits?

The Hon. ANTHONY D'ADAM: Yes, indeed. He was very impressive. There was a passion for the issue among committee members. I acknowledge the chair, Ms Julia Finn—who did an excellent job compiling the report—Dr Joe McGirr, Mr Kevin Anderson, Ms Abigail Boyd, Ms Liza Butler, Ms Judy Hannan, the Hon. Jacqui Munro and the Hon. Emily Suvaal. All members played their part and contributed to a very good report. We all

agreed that it is essential that children get a high-quality arts and music education and that learning about the creative arts and music is intrinsically good.

As a corollary to that, finding 2 of the committee was that arts and music are systemically undervalued, and that is a substantial problem. Deliberations of the committee were directed to trying to arrest that in terms of the policies applied by State government to affect an improvement. All members were of the view that we need to do more around improving access, because at the heart of the problem is a substantial question around equity and that access to arts and music remains the preserve of the more affluent in our society. There is very much an urban-rural divide in terms of access, which means that many children are not getting the education in arts and music that they deserve, and that is essential to a well-rounded educational experience.

What highlighted the disparity in the way the system deals with arts and music was when we looked at the issue around an extension subject for art in the HSC. Until this inquiry, I was unaware that there was no extension option for HSC art. It struck me as very odd that what is actually quite a cerebral endeavour in fine arts has not up until now been considered worthy of having an extension subject. Recommendation 15 urges the NSW Education Standards Authority [NESA] to provide a visual arts extension as part of the review of the curriculum, and I am pleased to see that was supported in the Government response. That is really indicative of an approach that has been informing the way the system deals with arts and music.

The other issue the inquiry covered was that we need to make sure that music education is being provided at all stages in the educational journey, and it is particularly important to laying the foundations for students who may choose to do music and art in the later stage of their education. The absence of that education being provided at a primary level, often because teachers do not feel they have the necessary skills to deliver the curriculum effectively, starts a vicious cycle of children not taking up art and music in the later part of their education because that foundation has not been laid at the very beginning.

Recommendation 3 was that the New South Wales Government explore the issue around having specialists in arts and music education at a primary level. We met a bit of resistance to that. There is a conventional view around primary education that it is a generalist practice and that to establish specialists in art and music would be a departure from that and would somehow undermine it. Given the problems that we have observed with gaps emerging in the education of primary school children in this area, the Government should reconsider its adopted position on that recommendation. Another recommendation was around providing for a teaching code for primary school music teachers. There is some merit in the idea of having specialist music teachers able to deliver that curriculum in a primary context.

The committee members made a number of site visits, and an observation that struck me when we talked to students studying music in a higher education context was the difficulty—particularly for students coming from rural areas—in accessing music education, which necessitated travel to the city. A big issue they raised was the obstacle of housing affordability. For some students from a regional area, the only way they can study music in a higher education context is to relocate. The cost of accommodation is a major barrier to accessing that educational pathway. Recommendation 25 encourages the Government to look at how we might provide subsidised accommodation for Sydney-based arts training organisations to alleviate that pressure on students.

The other issue that we encountered was the overall decline in the provision of fine arts education at a higher education level. Again, that creates a vicious cycle. If we are not training enough arts and music teachers, then we will have a shortage of teachers at the primary and high school levels. Obviously, that then adds to a diminution in the number of students taking those courses at the HSC level, and then we are not creating the stream of candidates who might end up taking those courses in a higher education context.

Broadly, the report was unanimous. One area where there was a bit of disputation within the committee related to a question that arose during the inquiry around the development of the Stage 6 drama syllabus and the Stage 6 Music 1, Music 2 and extension syllabi. There is no question that in the development of the syllabus, the consultation was shown to be inadequate. Questions were raised about how much value is placed on the input from teachers and practitioners in the community, who sustain the subject area, and how to make sure their input is properly reflected in the development of syllabuses to be delivered in the New South Wales education system.

A lot of anxiety amongst the drama and music teaching community manifested itself during the inquiry. There is certainly room for improvement in how NESA undertakes those processes. I agree with the critique around the need for transparency so that people can see how the sausage is made and be satisfied with the outcome. Some of the major concerns have been addressed in that process, and the outcome is a vast improvement on what was initially proposed. That was the only area where we saw significant difference in the deliberations of the committee.

I will address a couple of other items in my final minutes, particularly the role of regional conservatoriums. I had no exposure to that system until my participation in the inquiry. It was great to see the community of practice to sustain music in regional contexts, and we need to strengthen that valuable part of the ecosystem. Recommendation 29 is that the Government explore creating a music hub in Western Sydney, based on the conservatorium model, around culturally diverse music. I was particularly interested in that. A lot of the discussion around music education is centred on a western frame, but there is a whole ecosystem of music from culturally diverse communities.

We should provide State support to try to foster and develop that rich source of musical creativity in our community. Creating a culturally diverse conservatorium-type model in Western Sydney is a good idea. I am pleased that the Government has agreed to support that recommendation. We have a long way to go to improve the status of music and art education in this State. But the report makes a good start by giving some direction to the Government in its deliberations and its development of policy responses to the fundamental problems of access and equity in music and art education. I commend the report.

The Hon. JACQUI MUNRO (18:16): The Joint Select Committee on Arts and Music Education and Training in New South Wales was a wonderful committee to be on. I feel privileged to have learnt so much about music, creative arts and drama education from people like Dr Anita Collins, who spoke with great insight and depth of knowledge around the ways that it literally changes the brain when we sing in an environment with other people, sharing the music, the beat and the rhythm.

It made me think that, in addition to our prayers when we open this Chamber, we should have a rousing chorus of the anthem or some other appropriate song that would bring us together. The evidence and the science shows that students who did five minutes of clapping and singing together in the morning were calmer and more collegial in the classroom as the day went on. We saw that tool used in classrooms to ensure that maths and English lessons were absorbed better by the students. We have a real opportunity to learn from the experts to enhance our entire education system, not only education in music, drama and creative arts.

Yes, I play the saxophone, but I declare that I am genre fluid. I was pleased to see that lots of different types of music are appreciated by students. We got the opportunity to meet with people from Music in Me and the Alberts family, whose organisations are doing so much work to engage students and to instruct teachers on the benefits of music education. We heard from Ricky and Nat Kradolfer from Amplify Music Education that their tool, which is essentially an audiovisual aid for teachers, has been taken up by many schools in New South Wales. I think they are up to one in five, and they are looking to reach 50 per cent of New South Wales schools, with their program being used to help teachers teach music in primary schools.

The program is a recording of Ricky, who has become a bit of a star with kids in primary schools. He records a lesson that teachers play. It is an online tool. Schools subscribe to it and play the lesson in their classrooms. They strum along with a guitar or bang along with their drums. It gives teachers the confidence they may otherwise not have to teach the mandatory music classes in primary schools. That was a really interesting part of the committee. It seemed that the department was not aware of the scale of the usage of that digital tool in classrooms, which is quite concerning.

Teachers feel uncomfortable and ill equipped to teach music, particularly in primary schools, where they are not necessarily specialists. That means that kids are not getting the lessons that they are mandatorily required to get. That is a problem for not just music education but education related to all subjects that they are engaging with. We explored that quite a lot and whether teachers would be able to access better training when they go to university. Universities should be looking at increasing the number of hours of music education in the curriculum for teaching.

The Coalition largely agrees with the report. I am grateful that the chair, Julia Finn, incorporated some of the issues that came up later in the inquiry. We had strong disagreements about what should be heard in the committee, but our requests were largely accommodated. That was around the stage 6 HSC music and drama syllabus development. I note that the Hon. Anthony D'Adam said that the committee heard that consultation was inadequate. I suggest that not only was it inadequate but, where it was undertaken, it was not listened to by the NSW Education Standards Authority [NESA].

Since that committee process, we have gone through a Standing Order 52 process, which uncovered the minutes from the technical advisory group [TAG] meetings undertaken by NESA and the department with experts. Those experts were explicit about their concerns, raising with NESA and the department that the proposed changes around limiting the amount of creative expression that would be marked and assessed as part of the HSC would cause an enormous amount of consternation and potentially reduce the number of students who enrol in music and drama. That is the opposite of what all members of the committee want to see after hearing the evidence and going on site visits. That was really concerning.

We do not believe the committee should have outright rejected the calls for a stage 6 music and drama syllabus drafting process to be halted. That was called for by the community and teachers. Teachers expressed that they were more scared about having to teach the proposed HSC syllabus for music and drama than they were about losing their jobs and speaking out about the changes. The Opposition is concerned about that and does not agree with the statement in the report that the current syllabus drafting process should be continued simply to maintain the New South Wales curriculum reform timeline. It would be a travesty if that kind of review—which is the first review in about three decades—was limited simply to adhere to a timeline, rather than opened up to listen and heed the calls that are being shouted from the rooftops by experts who have been trying to engage with NESA, the Government, the Minister and the department for over a year now.

We are concerned that recommendation 18 excludes reference to evidence-based best-practice teaching methodology, consent and assessment standards, as was originally proposed by us in the deliberation. That was supported by the crossbench. We also moved a recommendation that the NSW Education Standards Authority release a second draft of the stage 6 music and drama syllabuses for public consultation before finalisation, for the benefit of providing a high-quality education for future students and to maintain professional confidence in the drafting process. That was also not supported.

The committee was set up to ensure that music and drama education is of a high standard and excellent quality in New South Wales. The evidence we received during the inquiry is that New South Wales is already a world leader in its standards of music and education. The idea that we would change that radically—changes that seem to be designed for statisticians and not students—and disempower students to perform, be creative and work with other students, simply because it might be easier to assess and mark and because resources may be limited in particular areas, is contrary to the aims of the committee. We should try to enhance what people have access to, rather than cut down the whole system.

It is excellent that the committee held the inquiry. It was wonderful to listen to the incredibly passionate experts. But it is disappointing that, in the end, the Government has decided not to heed its own intentions in establishing the committee and take the apparent once-in-a-30-year opportunity to improve music and drama education for students in New South Wales. Instead, the Government is cutting down opportunities that students have and ignoring the advice of experts and TAG members. Experts said that the evidence used by NESA to change the syllabuses was not evidence at all. There were changes in the work that were not supported, although they were referenced by the academics that we got evidence from. I thank the committee and the chair for the opportunity. I hope we can improve drama and music education.

Debate adjourned.

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

Bills

GOVERNMENT SECTOR AUDIT AMENDMENT (PERFORMANCE AUDIT REPORTS) BILL 2025

Second Reading Speech

Debate resumed from an earlier hour.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (20:01): Item [2] of schedule 1 to the bill amends section 38EC (2) to insert "or notice" after "report" wherever occurring. With this amendment, section 38EC (2) would provide that, if a House of Parliament is not sitting when the Auditor-General seeks to present a report or notice to the House under this section, the Auditor-General must present the report or notice to the Clerk of the House to be dealt with in accordance with section 63C. Item [3] of schedule 1 to the bill amends section 38EC (3) by omitting "the report" and inserting instead "a report under this section". With this amendment, section 38EC (3) would provide that the Auditor-General may include a report under this section in another report of the Auditor-General to the House of Parliament concerned.

I confirm that these amendments do not impact the tabling of special reports. Section 52B of the audit Act will continue to require the Auditor-General to present a special report to each House of Parliament as soon as practicable after making the special report. This will ensure that special reports, which include reports following requests by the Treasurer or other Ministers under section 27B (3) (c) of the audit Act, continue to be promptly tabled and published.

The bill will commence on assent. The amendments proposed by this bill honour the Government's commitment to ensure the effective functioning of strong and independent integrity agencies in New South Wales. The bill strikes a responsible balance between the need for transparency to Parliament about the exercise of the

Auditor-General's functions and the requirement to ensure that the Auditor-General has independence in determining the date by which reports are presented to both Houses of Parliament, where it is in the public interest to do so. The bill will support the Auditor-General's work and continue to ensure that government actions are subject to rigorous scrutiny, promoting transparency and accountability at all levels.

Ultimately, the performance audit function of the Auditor-General of New South Wales is integral to upholding the principles of good governance and fostering public trust in the administration of public affairs. As I have noted previously, the amendments in this bill have been requested by the Auditor-General and the bill has been shaped by consultation with the Audit Office. The Government greatly appreciates the important and essential work that the Auditor-General is doing and is happy to support it by bringing forward this bill. I thank the Auditor-General and his office for their engagement in the development of the bill. I commend the bill to the House.

Debate adjourned.

TRANSPORT ADMINISTRATION AMENDMENT (SYDNEY METRO GOVERNANCE) BILL 2025

Second Reading Debate

Debate resumed from 20 February 2025.

The Hon. NATALIE WARD (20:05): I lead for the Opposition in debate on the Transport Administration Amendment (Sydney Metro Governance) Bill 2025, which we oppose. Transport in this State has lost momentum. It is not a pun; it is a fact. The Opposition has several reasons for believing the current governance arrangements for Sydney Metro should remain as they are. The bill seeks to remove the shining light of transport policy in Sydney, Sydney Metro, and turn it into just another transport mode—the exact attitude of this Government. As members would recall, Sydney Metro was established in 2018 in preparation for the opening of the Sydney Metro North West line. That metro line was delivered on time and under budget by the Coalition Government—sadly, unlike any transport project under Labor.

The delivery of the metro line was a result of the former Liberal-Nationals Government's priority to put the customer and Sydney's transport future at the centre of government. After 16 years of inaction by Labor, the Coalition Government fundamentally transformed Sydney's transport future. We planned, funded and built four metro lines in 12 years, which is ironic because the latest plan from the Government is to maybe start building one metro in 20 years. In fact, Labor opposed the Transport Administration Amendment (Sydney Metro) Bill 2018 because it does not see the value of metro services. Labor sees transport policy only through the lens of union employees, not the commuter.

An example of that is putting drivers on driverless trains, and then putting cabins around the drivers to not drive the driverless trains. Members opposite basically launched a review to find any reason to cancel the projects. Then, once the reviews came back saying, "These are desperately needed projects," they said, "Sure, we'll do it, but we're going to complain the whole time." It is ironic that a Labor government that opposed the metro in opposition is now introducing a bill to Parliament about the governance of Sydney Metro, especially considering that Metro West has been delayed by at least two years under its watch, and it cannot tell us the cost, timing or delivery program. Sydney Metro Southwest has been delayed yet again, and the Government refuses to tell anyone the cost, timing or reason for the delay. Sydney Metro Western Sydney Airport has been delayed, and the Government refuses to tell anyone the cost, timing or reason for the delay. The Government could not even open metro city on time.

There are a few issues with the bill and the Government's weak reasons for introducing it. Fundamentally, it is about control—control of Sydney Metro by Transport for NSW, control of metro by the Labor Party and control of metro for the rail unions. The bill is not about control for commuters but about control for a Labor government that does not see the value of metro. In his second reading speech, the then interim and now current transport Minister commented, "I note also that the new governance framework builds on the independent review of Sydney Metro, completed in 2023." It was not his review, but the fact is that nowhere in the metro review's recommendations is there anything about removing the board or handing it over to Transport for NSW. The Government's own review states:

In our view, Sydney Metro are likely at a leading standard of Government experience and capability regarding megaproject delivery.

...

In our view, these dependencies on Transport for NSW approvals for basic corporate functions are not consistent with the accountabilities or expectations of a decision-making board.

The Review Panel considers that the Sydney Metro Board and senior team have the capability, depth, and resourcefulness to deliver the overall infrastructure program to a very high quality and with all the necessary governance and probity safeguards that the NSW Government and community would expect.

The review team literally told the Government, "Get the Transport for NSW bureaucracy out of Sydney Metro. The board and governance structure works well." Instead, the Government wants the bureaucracy back involved. Why? I do not know. The ring fence approach worked well. It literally changed the course of transport in Sydney. There is a reasonable argument the Government could make to the Opposition to remove the board. But to then set up an advisory board with no power or responsibilities—a sham board—just reinforces that the bill is not about cleaning up anything; it is about taking over control. The reviewers, who were experts hired by the Government, said that the three levels of assurance and decision making in Sydney Metro—the Minister, the chief executive and the board—were an effective three-lines-of-defence assurance framework.

The Minister's second reading speech was not the great oratory this House has come to know from him. It sounded like he was a hostage reading a pre-prepared statement. After the mess he was left, I do not blame him for his lack of enthusiasm to proceed with the bill. The bill is about pushing around Sydney Metro as required to suit the interests of Labor Party stakeholders and the Transport for NSW bureaucrats. The idea that we need to seek full integration is a farce. Does anyone think that Sydney Metro is not fully integrated as it currently operates? What are the benefits of the greater alignment with transport policy for an organisation that has changed and will continue to change the face of Sydney transport for commuters? Currently, Transport for NSW cannot manage bus services, as outlined by the Auditor-General report. Transport for NSW and Sydney Trains cannot run the bus timetable on time. But for some reason the Government says, "Let's give them more responsibility and power over the one mode that is working as designed."

Fundamentally, commuters will see no benefit from this decision. Peter Regan will be shaking at the thought of having to take instructions from some of his Transport for NSW colleagues. All that will happen is that Sydney Metro will be pushed into the corner, relegated by the bureaucrats at Transport for NSW to suit their interests. We all know what will happen next. The first step is to change the governance arrangements. Then changes in policy, accountability and decision-making will come, further weakening the agency. Finally, cuts to personnel, skills and the workforce will render Sydney Metro a more feeble and less ambitious organisation. After all of that will come the Government's excuses. They will say, "We can't build anything because Sydney Metro doesn't have the capabilities required to manage large infrastructure projects." We have seen it before. That pretty much sums up the Minns Labor Government transport policy. It is feeble and unambitious, providing no benefit to commuters. The Opposition opposes the bill.

Ms CATE FAEHRMANN (20:12): As The Greens transport spokesperson, I make a contribution to debate on the Transport Administration Amendment (Sydney Metro Governance) Bill 2025. According to the Government's brief, the bill is intended to amend the Transport Administration Act 1988 to abolish the Sydney Metro Board to align its management structure more closely with other transport agencies. The bill also amends the Act in the following ways:

- (a) to abolish the Sydney Metro Board,
- (b) to provide that the Chief Executive of Sydney Metro (the Chief Executive) is appointed by the Minister for Transport (the Minister) instead of the Sydney Metro Board,
- (c) to provide that the affairs of Sydney Metro are managed and controlled by the Chief Executive in accordance with any directions of the Minister and Transport for NSW instead of being subject to the policies and directions of the Sydney Metro Board,
- (d) to establish a Sydney Metro advisory board to advise the Minister and Sydney Metro ...

I will be honest that The Greens would have preferred for this bill to be sent to inquiry. However, as there are no stakeholders, it would be difficult to inquire into it. We really need greater detail and greater justification for the significant change that the bill is proposing. The Hon. Natalie Ward put it very well when she said that if we asked the public which is better managed out of Sydney Metro or Sydney Trains and Transport for NSW, we could bet our bottom dollar that about 96 per cent of people would say Sydney Metro is the better-managed agency. It is very difficult to get to the bottom of the reasons for the change. In his second reading speech, the transport Minister stated:

The proposed new governance framework for Sydney Metro ... recognises that the organisation is at a crucial stage of its evolution, moving from being a developer of the metro network to also a service provider and long-term asset manager as more of the metro system opens up for passenger use ... With that comes the need to review its governance framework to ensure it remains fit for purpose into the future. The new governance framework for Sydney Metro will better reflect the appropriate level of accountability and scrutiny by the Government in support of the organisation's evolution and improve strategic alignment with the rest of the Transport portfolio.

The problem is that, on the one hand, the Minister is stating that the governance framework needs to be reviewed, but, on the other hand, it appears that somewhere, somehow, that governance is being reviewed. We have not seen that particular review and do not know who made the decision to introduce this bill for this particular outcome from a mysterious governance review. We are not sure who even did the review.

There was another review. In April 2023 the Government announced a "comprehensive and independent review into the Sydney Metro project". That was the Mrdak review, and the final report was tabled in December 2023. It was handed to the Government a few months before that, but I will not press that point. The review's terms of reference included the assessment of "the adequacy of the Sydney Metro organisation's governance, oversight, resourcing arrangements and project delivery practices". The terms of reference also included:

Consider the adequacy of arrangements between Sydney Metro (and its contracted operators), Transport for NSW (and its contracted operators) and Sydney/NSW Trains to deliver integrated transport services as projects are completed and transition into operation, and the role of Sydney Metro in building the resilience of Sydney's transport network into the future.

The interim findings of the review stated:

... that there appears to be a concerning lack of common/agreed understanding across the Transport Cluster regarding individual Executive accountabilities and responsibilities for key activities in the upfront planning and the later commissioning phases of major infrastructure projects. Complex, sprawling governance and conflicting understandings of accountabilities are key risks to efficient and integrated investment outcomes. (Recommendations 9, 10, 16, 17, 18).

Crucially, the findings of the review and the recommendations said nothing about dissolving the Sydney Metro Board. Rather, the final report states:

We suggest there are significant opportunities for the NSW Government to leverage both the skills and oversight functions of the Sydney Metro Board much more effectively. The Review Panel considers that the Sydney Metro Board and senior team have the capability, depth, and resourcefulness to deliver the overall infrastructure program to a very high quality and with all the necessary governance and probity safeguards that the NSW Government and community would expect.

The final report also stated:

In our view, Sydney Metro are likely at a leading standard of Government experience and capability regarding megaproject delivery. This is not to suggest or indicate that all challenges will remain within-tolerances or that no further risks to the Sydney Metro West project will eventuate, but that this is a highly capable Agency with a robust internal environment of Board governance, transparency, knowledge sharing, continuous improvement, and an Executive with significant expertise in project integration.

Looking for why this bill was brought here, we can go to the statement of public importance when there is not much else to look at. What is the policy objective couched in terms of the public interest? The Government tells us this bill is before us because:

The reforms proposed will give Government more direct oversight of Sydney Metro's performance, as well as emerging issues and risks, and enable the agency to respond directly to Ministerial and government directions and priorities. The reforms will improve consistency of governance frameworks across the Transport portfolio. The proposed reforms also build on the insights from the Independent Review of Sydney Metro.

But they do not. The final report of the independent review of Sydney Metro says the board, which is the sole subject of the bill, is excellent. It says the board is one of the best throughout the entire Transport for NSW ecosystem. The review's authors rave about the board. I am sure there will be some Sydney Metro executives who cannot believe the speech I am making tonight after I have also been highly critical of consultant fees, which I will get to. The Government tells us these reforms are built on the insights from the independent review of Sydney Metro.

The Greens are prepared to support good legislation that aligns with our values and principles, including legislation in the transport sector that allows greater public control and oversight of, for example, Sydney Metro. But the premise of the bill just does not ring true. The Government's very paltry justification for bringing the bill just does not ring true once we have scratched a little bit beneath the surface. The statement of public interest says that the reforms will "improve consistency of governance frameworks across the Transport portfolio". It is almost like the Government has looked at a couple of the findings from the independent review and wrote the opposite.

My colleague Ms Abigail Boyd and I have worked on exposing the questionable practices in the hiring of consultants by some senior executives within Sydney Metro via the establishment of their own labour hire agencies. It is important to say that has been an ongoing issue, with senior executives establishing their own hire companies and skimming around 15 per cent off the top of every single contract, some making millions of dollars. Through the processes of budget estimates in particular, as well as working with the media and also the Public Accountability and Works Committee, we have shone a light on those practices.

We have been assured by not just the Chief Executive of Sydney Metro but also the Secretary of Transport for NSW and the Minister that that has been addressed, and that processes and procedures have been put in place and certain individuals have been dealt with. That situation is surprisingly similar to what the Independent Commission Against Corruption is investigating in terms of the School Infrastructure NSW scandal. It is very similar in terms of massive contracts, contracts to mates and people being subjected to bullying and all sorts of actions if they speak up. So that issue has not gone away entirely.

I am not sure whether having the Minister in control of Sydney Metro to such an extent and abolishing the advisory board in this way would have made a skerrick of difference to that situation. The bill abolishes the board. It establishes an advisory board with all members appointed by the Minister, based on relevant experience. We have seen a number of bills that allow the Minister to appoint people based on relevant experience, and it does seem as though this Government is making an art form of putting people that it has worked with in the past and are comfortable with onto advisory boards. Both sides of politics do it, but it appears to be something that the Government loves doing in almost every bill that is brought before this place. The Transport Administration Act shows the Minister does ultimately have power over the control and management of Sydney Metro under section 38I. Subsection (4) provides:

A direction of the Minister under section 3B or of TfNSW under section 3G prevails over a policy or direction of the Sydney Metro Board to the extent of inconsistency.

Then part 1A section 3G, which this refers to, states in relation to directions by Transport for NSW to public transport officials:

TfNSW may, for the purpose of exercising its functions, give directions to the following bodies in relation to the exercise of their functions

...

(f2) Sydney Metro.

Taking into account section 38I (4), Sydney Metro is, basically, in the exercise of its functions, under the direction of the Minister. People have asked me what I think the bill before us is about. Again, The Greens really wanted to support the bill, but we have to think about the way in which Sydney Metro is working, compared with Sydney Trains. Of course, I did more than a quick skim of the independent review, but even a quick skim shows that what the review is saying about what is needed for Sydney Metro and what the Government has brought before this Parliament is chalk and cheese.

It is almost like the last thing that the independent review wants to see happen is Sydney Metro and its functions consumed, subsumed and taken over without the strength of the board to be able to continue doing what it is doing. There may be difficulties; there may be frustrations. From our perspective, the Government can bring this back if it needs to. However, based on the evidence and the facts—which is what we vote on—very reluctantly, The Greens are not prepared to see changes made to the governance of Sydney Metro at this point. We need to see evidence that it is necessary for the good of the commuters of New South Wales, and that evidence is well and truly not before us today. The Greens cannot support the bill.

The Hon. JOHN RUDDICK (20:30): The Libertarian Party abstains on the Transport Administration Amendment (Sydney Metro Governance) Bill 2025. The bill represents the classic musical chairs between the Coalition on the right and the Labor Party on the left. Should we have more high-paid private sector consultants? Yes, says the Coalition. Should we have more powerful bureaucrats? Yes, says the Labor Party. The Libertarian Party says no. We should have less government. Government is inherently parasitic, so the less the better. The bill is largely miscellaneous and uncontroversial. It makes minor changes to the governance of the Sydney Metro, which is a terrific piece of public infrastructure built by the private sector at taxpayers' expense.

The changes largely shift focus from constructional to operational governance. However, Sydney Metro should have always been privately owned and operated. The endless tinkering of government will always deliver an inferior result at the taxpayers' expense. We should have a metro service 100 times bigger than it is, and an unleashed private sector would deliver that. What is immoral about taxpayer-funded infrastructure is that taxpayers in Dubbo, Coffs Harbour and the Illawarra do not use the metro but help pay for its construction. They pay to subsidise it. The free market alone morally allocates expenditure to a user-pays model. Therefore, I abstain.

The Hon. Dr SARAH KAINE (20:31): I am pleased to speak in support of the Transport Administration Amendment (Sydney Metro Governance) Bill 2025. Members would agree that Sydney Metro has been a game changer for Sydney. It is Australia's biggest public transport project, building, operating and maintaining a network of four metro lines, 46 stations and 113 kilometres of new metro rail. Sydney Metro is enhancing public spaces with vibrant transport precincts, acting as a catalyst for renewal and better connections. The metro program is creating and supporting new communities, improving amenity and delivering new integrated station developments. The contribution Sydney Metro is making and will continue to make as further parts of the network are opened to the public is an essential part of making Sydney a world-class global city.

Sydney's future success is dependent in large part on being able to maximise the opportunities Sydney Metro has to offer. As the Minister has highlighted, it is and will continue to be an essential catalyst for the delivery of the Government's broader strategic goals and projects. With that in mind, it is timely to make sure Sydney Metro's governance framework remains fit for purpose into the future. Sydney Metro as an agency was always going to need to transform and evolve as the metro network started to be rolled out and operationalised.

The proposed reforms in the bill to Sydney Metro's governance framework will help ensure the organisation can best meet the challenges of the next stage of its evolution. It is no longer just the developer of the network; it is also an essential service provider with a growing asset base. It forms a central plank of the Sydney network as a whole, allowing for seamless connections and interoperability with other parts of the transport network.

Sydney Metro's ongoing capital program will continue to be a major part of the transport capital pipeline for some time to come. In recognition of that, it is important that Sydney Metro's governance framework be closely aligned with for the Transport portfolio as a whole. The reforms set out in the bill will achieve that by providing for a more direct line of reporting and accountability from the chief executive to the Minister for Transport. The dissolution of the independent governing board will provide the Government more direct oversight of Sydney Metro's performance, as well as any emerging issues and risks. It will also enable the agency to respond more directly to ministerial and government directions. The creation of an advisory board will ensure that Sydney Metro continues to benefit and draw upon the expertise of industry and public sector experts. That includes expertise relevant to its expanding role as a service provider and asset manager.

The proposed changes will give the Government greater visibility of Sydney Metro's performance, as well as any emerging issues and risks. They will also enable the agency to respond more directly to ministerial and government directions. While the bill provides for important changes, it will not change other key elements of Sydney Metro's current governance framework. As the Minister has pointed out, Sydney Metro will continue to be subject to the directions of the Minister and of Transport for NSW; remain subject to annual statements of expectations issued by the Transport secretary; continue to be required to publish corporate plans, following public consultation; remain subject to auditing and reporting requirements under the Government Sector Audit Act 1983 and the Government Sector Finance Act 2018 requirements relating to risk management and internal audit; and will continue to be subject to Treasury's Internal Audit and Risk Management Policy for the General Government Sector. The reforms contained in the bill are about enhancing Sydney Metro's capacity to deliver. For those reasons, I commend the bill to the House.

The Hon. BOB NANVA (20:35): I speak in support of the Transport Administration Amendment (Sydney Metro Governance) Bill 2025. The changes proposed in the bill will ensure that Sydney Metro has the most appropriate governance framework as it evolves into its next phase of operation and delivers on the findings of the independent metro review. I have listened intently to a number of compelling contributions to this debate, and I think it is appropriate to go to some pertinent quotes from some source documents. The independent metro review noted:

We believe there remains an essential need to continue efforts to clarify and streamline accountabilities and governance expectations with TfNSW, and with other NSW Government Agencies such as DPE, NSW Treasury, and Infrastructure NSW, to best ensure decision-making rights align with accountabilities for outcomes, and to avoid the risk of overlapping/contradictory governance and assurance arrangements.

The changes to the governance framework contained in the bill will support Sydney Metro in continuing to work with Transport for NSW to establish greater alignment and efficiencies with the Transport-wide governance framework, as appropriate, while maintaining its separate accountabilities to support its own objectives and functions. In speaking to the bill, I take the opportunity to remind members of the history of the current governance arrangements. At the time, significant concerns were raised by members of The Greens in both Houses that the creation of those governance arrangements would result in public money being spent on private board directors rather than on public transport jobs, and compelling concerns were raised that that would pave the way for potential further privatisation of Sydney's public transport functions. A member in the other place—again, compellingly—went as far to say:

The Greens are committed to the idea—a radical notion, some might say—that a public transport system should be something that is controlled and operated by the public in the public interest. Call it radical!

Indeed, former member of this place whom I have respected from a distance, Ms Mehreen Faruqi, was concerned that the arrangements established "authority with very unclear accountability to the overarching agency". Some other members in this place, as well as Government members, have been concerned about the former Government's outsourcing of public functions via the use of consultants, and specifically the use of consultants within Sydney Metro. As part of the inquiry into the use of consultants in government departments, the chair of the inquiry, Ms Abigail Boyd, noted:

The creeping privatisation of core government functions is a serious concern both for the efficient use of public money and for the integrity and capability of government decision-making.

I also share that sentiment. It is the Government's view that the issues are best addressed via the direct accountability of metro operations. Sydney Metro is Australia's biggest transport project. It is appropriate, and it is well overdue, that the governance model for the project is managed directly by the Government with expert

assistance provided via an advisory board rather than a model of semi-outsourced accountability. For those reasons, 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) (20:39): In reply: I thank all members for their contributions to debate. The metro has been a great success from the start for our city. It has helped transform our city. The Government wants it to be even more successful. That is the basis on which the Government brings the bill before the House. The Government has been quite open to giving credit to the former Government along the way, but it believes the changes in the bill are required for the stage the metro is currently at. That is not to say the initial model was wrong from the start. That is not the proposition of the Government. It is saying that as the metro becomes more operational, the bill is the appropriate way to deal with metro governance.

There are three key reasons why the bill is a more appropriate form of governance. The first is about the financial performance of the metro as the Government is trying to build big new stretches of metro in Sydney, with many stations yet to be built. It is quite clear that the Government has had to work very hard to keep a lid on the cost blowouts. The Hon. Natalie Ward drew attention to the time and cost performance of the Sydney Metro North West. She skipped over the part where the former Coalition Government went less well with the more than \$10 billion blowout in the sale of Sydney Metro West. The Government will not be taking a lecture on costs from the Opposition, but we will give it credit where it is due. The Government is asking for assistance in the governance of the Sydney Metro in order to deal with those financial issues on very significant projects.

Secondly, the metro is becoming more operational. It is going from a construction project to a much more operational agency, like Sydney Trains. There will be a point where that tips over and the changes in the bill are required. The Government is asking the Parliament to make that judgement. Is that time now? The Government's view is that the answer to that question is yes, but members are entitled to take a different view. Thirdly, there have been issues with the culture of consultants around the metro. The Parliament has asked the Government to deal with those. The Government is now asking for the tools in order to deal with that culture. In the view of the Government, the tools required are in this bill. They are the three key reasons the Government advances in support of the bill. It is unsurprising that the Opposition seeks to defend its existing governance arrangements. The Government is not saying those arrangements were inappropriate at the time. It is merely saying that the time has come to change. The Government believes the metro would be more accountable if it directly reported to the Minister in the way the bill proposes.

Ms Cate Faehrmann acknowledged that the metro is changing. She raised concerns about the review and made numerous references to it. I thank her for that. My colleague the Hon. Bob Nanva has pointed out that one of the key bits of the review calls for the clarification and streamlining of accountabilities in governance expectations. There are issues in the way the agencies are interrelating, and that is the case the Government is seeking to make. The Government is not questioning that the Minister already has power in the existing relationship. There is no doubt about that under the existing Act. However, the bill would strengthen it and lead to clearer accountability, which is a good thing, particularly if members want to pursue the sorts of issues that they are asking the Government to pursue around the culture of consultants and Sydney Metro.

The Government is putting the case that metro is no longer just the developer of the network but is now an essential service provider. It now has a growing asset base and is a central part of the transport network of Sydney. The bill is an appropriate moment to consider that change. I thank the Libertarian Party for its strong and passionate view and its equally strong abstention on the matter. I note the comments of The Greens that they will be potentially open to the changes in the bill at some point in the future. The Government is making the case today and will continue to make the case that the metro has been a tremendous success and it will be more successful. As the Government rolls it out to many more stations, it will seek to enact the controls in the bill. The Government will continue to engage in that dialogue.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The question is that this bill be now read a second time.

Motion negatived.

EVIDENCE (AUDIO AND AUDIO VISUAL LINKS) AMENDMENT (LOCAL COURT BAIL DIVISION) BILL 2025

Second Reading Debate

Debate resumed from 27 May 2025.

Ms SUE HIGGINSON (20:46): The Greens support the Evidence (Audio and Audio Visual Links) Amendment (Local Court Bail Division) Bill 2025 and its objectives. I have some concerns, which I will get to.

The bill essentially formalises bail hearings via audiovisual links [AVL] in New South Wales. Currently, the Evidence (Audio and Audio Visual Links) Act 1998 requires people to appear physically in first-appearance bail matters. However, a significant portion of first-appearance bail matters are already heard via AVL. That occurs for matters heard on weekends, public holidays and during magistrate conferences. Further, people held at Surry Hills Police Station and Amber Laurel Correctional Centre are also exempt from the presumption of physical appearance hearings. AVL has been used significantly in bail matters across the State over a number of years. Technological advancements and responsiveness to the COVID-19 pandemic have seen the court system adapt to AVL, which is now a modern and efficient way of conducting bail hearings.

In considering the impact of AVL on bail hearings, I note a 2021 report from the Bureau of Crime Statistics and Research into the impact of audiovisual links on being granted bail. The report ultimately concluded that there was no evidence that appearing via AVL causes defendants to be less likely to be granted bail. The report noted that where there were differences, estimates suggested that those appearing via AVL were more likely to be granted bail than those appearing in person. However, the report also acknowledged data limitations in failing to assess the impact of AVL on people with intellectual or cognitive disabilities. That is where The Greens maintain concerns with the bill, but more so with the operationalisation of the bill and its implementation. While the bill will include exceptions to the presumption in favour of AVL, The Greens are still concerned about potential implications of removing physical bail appearances.

We are particularly concerned about the experiences of First Nations people, people with a disability and any young people. In removing a presumption of physical appearance for bail hearings, people facing a bail matter will no longer be joined by family members. That is a real concern in our understanding of the critical connection that First Nations people have with family and kin. This connection is critical in the context of First Nations over-representation in the criminal justice system. First Nations people benefit enormously from family contact, especially as they are working their way through the criminal justice system.

As we know, separation from family is a significant factor in First Nations people's contact with the criminal justice system and contributes to negative experiences in the system, which leads to reoffending and, ultimately, over-incarceration. We therefore raise concerns about limiting the ability of First Nations people, in particular, to be joined by family members and support people, and taking away that physical experience in their bail hearings. We would appreciate any response the Government can provide to the House and to the many members of the community who share those concerns that would help us understand how these matters could be alleviated in the operationalisation of the bill. How can the bill best ensure that First Nations people continue to have access to families, kin and support throughout the bail process? It is a genuinely crucial matter that the Government must consider. We cannot overlook this factor as we operationalise this new system.

Further, The Greens are concerned about the likely impact of the bill on people with disability, notably people with intellectual or cognitive disabilities, including hearing impairment and so on. In New South Wales, 27 per cent of adult offenders are identified as people with disability and 5.7 per cent of adult offenders have a cognitive disability. Those are serious and true numbers. Having a disability has a real impact on how a person is treated when they appear before the criminal justice system. People with intellectual or cognitive disability face significant challenges with regard to all sorts and forms of technology. One consistently raised example is that people with an intellectual disability appearing via AVL will often not recognise that they are appearing in a courtroom and will not be able to ascertain the processes of the hearing, such as who is speaking. AVL is therefore not a viable option for people with intellectual or cognitive disabilities in bail hearings. We urge the Government to seriously consider the impact of the bill on people with a disability and the importance of upholding physical bail appearances where it is in their best interest.

Despite those concerns, I acknowledge the significant support for the bill. The bill is responsive to the Chief Magistrate's announcement establishing the bail division of the Local Court. I recognise the role of the bail division advisory board in the implementation of the bail division and its consultation on the bill. The advisory board comprises representatives from the Chief Magistrate's office, the Children's Court, Corrective Services NSW, Legal Aid NSW, the Aboriginal Legal Service [ALS], the New South Wales Bar Association and the Law Society of New South Wales. The implementation will shift first appearance in bail matters to magistrates in a central hub at the Downing Centre. The new division will hopefully have, the presumption is, positive outcomes in the court system. It will relieve workload pressure on regional and smaller courts and ultimately improve the quality and consistency of bail decisions by allowing magistrates to develop specialist expertise in bail matters. The bill supports the new bail division of the Local Court and the default arrangement for AVL.

I place on record, though, my concern. My colleagues in the legal profession have expressed concerns to me about access to legal representation. One of the areas I am particularly concerned about is how the ALS will manage and operationalise these changes. Anybody who has any contact with anyone in the ALS or who has sat in a Local Court for any number of days will understand how stretched those few lawyers in the ALS really are.

The kind of work they do is like gymnastics, the way they head down to a holding cell and then run up to make bail applications. Taking instructions face to face, person to person, has proven to be a fundamental access to justice component within the legal system. I am genuinely concerned about how the ALS will manage these changes.

I understand there is some discussion that perhaps Legal Aid will cover most of these new bail applications because the ALS simply does not have the resources to do it. While this may appear good and may alleviate the potential overwhelm so as to not overload, it does present a whole subset of other problems, such as not receiving that specialised Aboriginal legal service or the lawyer not knowing the people being represented in the same way the Aboriginal Legal Service does. It may lead to more work for the ALS because it could eventuate in a matter not transferring properly. Bail application could be made by lawyers who are not connected to the region or the community, or the particular accused person or their family. Those things often matter in first bail applications. It would be good for the Government to have eyes on those issues and a view that if tweaks are needed to be made as the bill is operationalised, they are done so early and properly. While we try hard to make a smooth transition to a particular scheme, sometimes it does not go that way.

The one area of the criminal justice system we cannot make any more mistakes on is access to justice for Aboriginal people; we cannot afford that right now. We are failing so badly with the Closing the Gap targets, which are chronically going the wrong way, particularly in the over-representation of First Nations people at every stage of the criminal justice system. That is a real concern. I hope the Government takes that on board. There is a particular difficulty with section 74 bail applications. If the ALS does not receive the details of the case after the first bail application, that will potentially defeat the purpose of trying to get a better, more streamlined, efficient and specialised system. Ultimately, that means they will end up in the Supreme Court and in the bail appeals system, going round in a terrible cycle. While that may sound like that is something that happens, the reality is First Nations people are getting further and further entrenched in the criminal justice system. The Government has to make sure that does not happen.

Going to the specifics of the bill, schedule 1 removes first appearance from the definition of "physical appearance proceedings". Trials, hearings of charges and inquiries into a person's fitness to be tried for an offence will remain under that definition. Importantly, the presumption of physical appearance will be upheld. Schedule 1 [6] goes to some of the concerns that I have raised, with regard to cases where AVL would not be appropriate, by attaching conditions to AVL appearances, including that the court is satisfied the accused detainee appearing before the court by audio link is in the "interests of justice". That is an incredibly broad term. It is important that the term is broad and all encompassing, but the commitment really has to be about what that means in practice. What will the guidelines look like? How will it be operationalised?

We need certainty that the concerns that I have raised, and the concerns held by those in the profession and others interested in the justice system, are properly articulated and addressed. We cannot afford to make mistakes in the criminal justice system. It is about the deprivation of a person's liberty. It is one of the most significant things that the State can do to any human life. Schedule 1 [7] to the bill provides that the head of jurisdiction for a court may reject the presumption in favour of AVL for a physical court appearance. It is yet to be determined how effective that may be in considering people with a particular need for a physical appearance, such as First Nations people and people with disability.

Schedule 1 [8] to the bill is crucial in facilitating private communication between a person facing a bail matter and their legal representative. That is a fundamental provision for legal representation and access to justice. We cannot allow the criminal justice system to slip when it comes to access to justice. It is a fundamental tenet of fairness in the criminal justice system. Despite the concerns I have raised surrounding the impact of the bill's presumption of AVL hearings on First Nations people and people with disability, The Greens support the bill. We need to move to a more efficient system. The idea of having specialisation is always an incredibly appealing approach in law. However, when we do such a thing, there is extra responsibility on those administering that specialised system to ensure that it is not an echo chamber and that they are cognisant of any actual or potential failures.

The bill will update the Evidence (Audio and Audio Visual Links) Act to reflect the reality of bail matters in today's context, which are increasingly dealt with via audiovisual link. I reiterate the need for the Government to closely watch the legislation. I implore the Government to have a particular lens on First Nations people, people with a disability and other people whose best interest is not to appear via AVL in bail hearings. Where necessary, physical bail appearances should be maintained. We should not, by default, implement a system that frowns on physical bail appearances, makes them more onerous or gives the perception that they are an inconvenience to the criminal justice system. Fairness in the system and proper justice regarding procedural fairness is fundamental. That is what members of this place are here to guard fiercely.

The Hon. SUSAN CARTER (21:02): I speak on behalf of the Opposition in debate on the Evidence (Audio and Audio Visual Links) Amendment (Local Court Bail Division) Bill 2025. I indicate at the outset that the Opposition shares a number of the concerns about the legislation that have been flagged by Ms Sue Higginson. Understandably, the community has a significant interest in bail and the proceedings of courts considering the grant of bail. Bail decisions need to walk what can sometimes be a fine line between ensuring community safety and maintaining the important safeguard of the presumption of innocence and the general right to be at liberty. Both are important, and both need to be balanced in any consideration of bail, as does the importance of maintaining the integrity of the justice system.

As the Bail Act 2013 reminds us at section 7, "Bail is authority to be at liberty for an offence." Of course, it can only be granted to those who have been accused of an offence. Bail is granted prior to trial and the testing of facts that may lead to a conviction. While we all cherish our liberty and wish for that right to be protected, the Bail Act recognises that if, because of the seriousness of the alleged crime, the strength of the prosecution case or the accused's background—including their criminal history—liberty for the accused presents an unacceptable risk to the community, then bail may not be granted. Community safety is paramount because, without that safety, none of us truly enjoy the liberty to go about our daily affairs with confidence.

Bail is a concept with a long pedigree in the common law system and was first organised legislatively by the Statute of Westminster of 1275. It is interesting to compare the preamble of our current Bail Act with the Statute of Westminster of 1275, which identified three considerations for the court to balance in any grant of bail: the seriousness of the offence; the "outlawed" status of the accused, which today we may describe as risk of reoffending; and the likelihood of conviction. That medieval thinking is not so different to that which we apply today, but who grants bail and the methods used to hear bail applications are very different. Bail is no longer determined by sheriffs or justices of the peace. Audiovisual links—unknown and unimagined in a medieval court—are not uncommonly utilised today. The legislation before us is not concerned with changing the criteria for granting bail but, rather, the methods that may be utilised in applying for bail.

The Chief Magistrate of the Local Court has taken the decision to reorganise his court and establish a permanent bail division. That will centralise the hearing of bail matters at the Downing Centre. It replaces the existing model, in which bail matters are heard in local courts throughout New South Wales. For that centralisation to be possible, changes are required to the Evidence (Audio and Audio Visual Links) Act 1998, or the AVL Act. The bill facilitates those changes. The AVL Act currently requires that an accused appears physically at all first-appearance bail matters, unless the court directs otherwise, the parties agree or a relevant exception applies. The bill will reverse the presumption of physical appearance so that audiovisual link appearance will become the default arrangement for all bail proceedings.

Under the bail division model facilitated by the legislation, the bail magistrate will sit in the Downing Centre, while the accused, prosecutors and defence counsel will appear remotely via audiovisual link, not necessarily all from the same remote location. On occasion, the accused person will still be able to appear physically. The bill further provides that heads of jurisdiction will have the power to issue directions or practice notes to exclude certain classes of persons or certain locations. It is anticipated that the power may be used to provide that in most local courts in Sydney, bail decisions will be heard in person during the week and via audiovisual link on weekends.

We recognise the expertise of the chief magistrate in matters pertaining to bail and are happy to support the legislation, which facilitates those changes. We will, however, be keenly interested to see the necessary evaluations of the changes, as there are issues that may need to be addressed. One of those is the integrity of the justice system. The preamble to the Bail Act makes it clear that that is of central concern in the design of any system of bail, and it is a consideration in this bail system redesign. Because bail matters will all be heard through one bail court in Sydney, as a practical matter, it will be very difficult, if not impossible, for those accused in the regions to appear personally. Because the current intention, facilitated by practice notes, appears to be that all bail matters from the regions be always heard by audiovisual link, whereas those in most Sydney local courts will be heard in person on weekdays, it could give rise to a perception that those in the regions are being treated differently to those in Sydney. Should it arise, that perception will be damaging to perceptions of the integrity and universality of the justice system. Steps should be taken to guard against that.

Concerns have also been raised by those in the regions that the necessary eyeballing that occurs at a first-appearance bail matter—both of the accused and of those who may be standing up to say that they wish to provide surety or provide accommodation for the accused—cannot easily occur by audiovisual link. That may lead to perceptions of a lack of confidence in those bail decisions. They are important matters that go to the integrity of our justice system, and they need to be carefully watched in the implementation of the new system. Another area of concern is the perpetual question of adequate resourcing. To work effectively, audiovisual links require not just the presence of audiovisual links in all court facilities—which has largely been achieved—but

also efficient methods for the transfer of the necessary paperwork between a prosecutor who may be in one place, a defence counsel located somewhere else, the accused in custody and the magistrate in the Downing Centre.

Without resources for digitisation, there is a risk that audiovisual link hearings will slow the bail consideration process, creating knock-on delays elsewhere in the system. I note that new section 5BC will require the provision of facilities for private communication between the accused and their defence lawyer, which addresses one of the issues that arises when counsel and client are geographically separate. Ms Sue Higginson eloquently outlined some of the other issues that occur when counsel and client are geographically separate, all of which need to be taken into account for a truly just system.

We would also be keen to hear the arrangements that are being made for those in the criminal justice system with impairments or disabilities. It should be anticipated that an accused with a cognitive impairment who is located separately from defence counsel may need to consult with another person or to speak privately with counsel at various stages in the bail proceedings. Sadly, this legislation is quiet about what those arrangements may be. We are confident that all of those matters can be addressed, and we look forward to the evaluation of the new bail division and the impact of the reforms in the bill. Bail concerns all of us in the community, and all of us have a stake in its proper functioning. A bail system that works well is a guarantee of a safe community, and that is too important a consideration to get wrong.

The Hon. STEPHEN LAWRENCE (21:10): I contribute to debate on the Evidence (Audio and Audio Visual Links) Amendment (Local Court Bail Division) Bill 2025. The bill amends the Evidence (Audio and Audio Visual Links) Act [AVL Act] 1998. It deals with important subject matter because it relates to the way in which people appear before courts in criminal matters without appearing in person—that is, appearing through audiovisual links [AVL]. That directly engages the human right to a fair trial that applies in criminal proceedings, including in interlocutory applications such as bail, and requires close scrutiny. The use of AVL and the way it is proposed to be expanded by the bill is consistent with the right to a fair trial, but that depends on the continuation and expansion of how jails and courts allow it to occur and how it occurs in practice. If New South Wales had a human rights Act, the bill would have gone through a rigorous assessment process for its compliance.

As a practising lawyer, I remember a time when AVL appearances were unusual and virtually unknown in some of the jurisdictions I practised in. Indeed, I appeared in matters in both Nauru and Solomon Islands where attempts were made to use AVL, perhaps for the first time, where the legislation did not refer to it. Suffice to say, there is no way to stop the AVL tide. It has a lot of advantages and can be used in all sorts of ways consistent with the human right to a fair trial. I also recall a time when people were taken great distances to appear in far-flung courts because that is what the law required. A common feature of bail Acts in the past was a requirement for a person to be brought before a court physically on a regular basis, even when remanded for a trial some months or even years hence. There was probably a range of policy reasons for that, but I suspect that part of it was a desire to avoid people getting lost in the system and to give people a chance to complain to the authority detaining them about matters related to the detention. Most of those concerns are no longer at the fore in our modern system of detention and criminal justice. In any event, AVL provide those opportunities.

When AVL started rolling out across the court system, the right to personally appear—if one is to conceptualise it as a standalone right—started to reduce. However, our law has continued to recognise fixed exceptions to that, such as a right to appear in person at hearings and trials and, relevantly, a right to appear in person at a first bail application. Currently section 5BB of the AVL Act allows for accused detainees to appear by AVL by default in all criminal proceedings, except for so-called "physical appearance proceedings", which include trials, hearings, fitness hearings and first-appearance bail matters.

Section 5BA requires an accused detainee to appear in person in physical appearance proceedings, unless the court directs otherwise, the parties consent or an exception applies. A number of exceptions apply to that general rule—for example, matters that take place in certain time periods. The many other exceptions vary—for example, accused persons held at some locations are already exempted from the presumption that they appear in person under the regulation. Individuals in those locations already make up a large number of the State's first-appearance bail matters, particularly individuals held at Surry Hills Police Station and the Amber Laurel Correctional Centre.

Another significant and welcome change is now underway that renders the statutory presumption relating to first-appearance bail applications well and truly outdated. The Chief Magistrate of the Local Court is now establishing the bail division of the Local Court, in which bail matters will be heard using AVL from a central hub at the Downing Centre. Some good people have been appointed to that division, and the existence of the division will provide specialisation, as Ms Sue Higginson spoke about, and improve the quality of justice in that respect. That is significant reform in the operation of criminal justice in New South Wales and will have significant benefits. The bail division will further formalise the use of AVL for first-appearance bail matters and will complement the reform to ensure that bail decisions are made by magistrates.

As members are probably aware, the longstanding practice in many places has been for registrars to preside over bail matters on weekends and public holidays. That practice came under scrutiny after the tragic death of Molly Ticehurst in Forbes. A person is now charged with murder in relation to that matter, so I will not dwell on the facts of the case. That person had been bailed by a registrar and the response to that tragic death focused on the unsatisfactory nature of the registrar bail system, and, rightly so, the Government has acted. I understand that a transition away from registrars in bail matters has occurred.

The bail division model will provide that the presiding magistrate be physically present at the Downing Centre, while accused detainees, prosecutors and defence practitioners will appear via AVL from across the State. However, in circumstances where AVL cannot or should not be used, the model will retain the ability for an accused person to appear physically. It is anticipated that a number of benefits will flow from the new arrangements, which will create a sustainable operating model for managing bail matters. The creation of a bail division is expected to relieve workload pressure on regional and smaller metropolitan courts, magistrates and court users, and contribute to the effective overall management of the workload of the Local Court. In addition, the bail division will enable magistrates to develop special expertise in bail matters and improve the quality and consistency of bail hearings.

A common hindrance to the efficient and smooth operation of criminal justice in the summary jurisdiction is the impact bail matters have on the work of the court. They are urgent because every minute of liberty is precious, other work must be dropped to undertake them and they pop up at short notice. A person is arrested, the police do the paperwork and then use their investigation period under the Law Enforcement (Powers and Responsibilities) Act 2002, if they have and need one. Indeed, they are bound by a statutory obligation to take the person to court as soon as reasonably practicable, and then the person's matter is listed before the court. The court is also bound by a similar statutory provision to deal with matters as soon as reasonably practicable, but that is also an entrenched approach. Generally courts will prioritise bail matters because every minute of liberty is precious. That has a major impact on the hearing of other matters. Magistrates and lawyers might be part way through a complex hearing, one that also might be urgent, and matters are often stood down to accommodate the hearing of bail matters. The new bail division of the Local Court will help address that.

It is anticipated that the bail division will be rolled out in stages from July 2025. Stage one of the bail division is intended to hear weekday first-appearance bail matters, arrest warrants and detention applications from regional areas, as well as two inner metropolitan locations—that is, Newtown and Waverley. Ultimately, the bail division will be expanded to other locations in metropolitan Sydney. My understanding is that currently all weekend country bail matters are being heard online in Sydney by magistrates, and that is a good thing. I am not familiar with how long people are waiting at the moment to have matters heard in these new contexts and how long they will wait in the new bail division, but I strongly suspect people will generally get matters heard more quickly than under existing and previous arrangements.

The bill introduces amendments to the AVL Act to reflect the intended future use of AVL as the default arrangement in all bail matters while allowing sufficient flexibility to accommodate transitional and local arrangements where physical appearances are necessary or preferable, such as where the required technology is not in place. Some important human rights considerations attend this transition to default AVL appearances. It is important that systems operate to ensure that technology is adequate and adapted to ensure that all accused persons have a genuine opportunity to participate in proceedings.

That, critically, will include that courts allow regular opportunities for lawyers to speak to their clients. Those opportunities need to be given at all the various times necessary, including immediately before the application proceeds but also sometimes—indeed, often—during the hearing because, in the nature of bail applications, lawyers will often need to go back and forth with their clients to take instructions on matters as they arise, and that is easy when one is just leaning back and speaking to a client in the dock but harder when it requires a phone call and even clearing the court.

Where a client is detained, it will also be necessary for jails to facilitate conferences needed during the hearing of the matter, as well as pre-hearing client conferences in the days or weeks leading up to the application, because lawyers will increasingly not have the usual opportunity to pop down to the cells and see clients. A very real reality in our system is also the need, especially with vulnerable people and young people, to speak to them face to face. That can be quite hard to arrange in our jail system. I also note that the bill will allow audio-only hearings in certain special circumstances. The Legislation Review Committee report on the bill is very useful reading on that point in terms of the human rights issues it poses. The report states:

... the Committee is concerned that if an accused detainee were to appear by audio link during bail proceedings, the magistrate would only hear the accused and not see them. While the Committee acknowledges that such appearances are intended to occur only in limited circumstances and are not expected to become the norm, it considers that even in those cases, the accused's ability to communicate effectively through facial expressions, gestures, or other non-verbal cues may be significantly limited. These concerns are particularly relevant in resource-limited areas, where physical transport and audio visual links may be limited, leaving audio-only appearances as a 'default'. As a consequence, the Committee considers that applying these changes to first appearance bail proceedings may affect an accused's right to a fair trial, including their access to justice. For these reasons, the Committee refers the matter to Parliament for consideration.

I agree with that, but, if the alternative is no bail applications in an expeditious manner, then an audio hearing should occur. It is better than a delayed bail hearing, unfortunate as that is. A number of other quite human aspects of the system are worthy of comment. They do pertain, at least in one respect, to the right to a fair trial. The use of AVL links in the court system often leads to interesting speculation about its effect. That is so, for example, in respect of evidence given in certain types of trials by AVL. Lawyers often speculate about the impact of that on prospects of conviction, and whether an accused person not being in the courtroom might mean that their chance of being refused or granted bail is impacted.

Ms Sue Higginson referred to a study in her contribution. I think I might have read the same study, which I found in an Australian Institute of Criminology paper from 2021. That cited a New South Wales study that looked at the question of whether one is more likely to be refused bail on AVL. The logic is that a magistrate, not having sat in a room with a person and eyeballed them personally, might be less moved or empathic. According to that study, however, if there is an impact, it is a small one. That concern seems not to be particularly concerning, but it is definitely something for those involved in the system to consider.

I conclude on another human aspect of the system, and that is less contact with families by accused people. In-person bail applications have long provided that little bit of extra contact between a person who is detained and their family. I have seen many situations in my career where Corrective Services has bent the rules a bit and even sometimes allowed a hug or at least a chat. I have certainly seen many families crowding the room for an opportunity to lay eyes on a loved one. It is sad that the changes will take that away but, ultimately, it is not a reason to not move in this area. One would hope and expect that prison visits are maintained in the system to a proper level consistent with human dignity. For all those reasons I support the bill. The Government's work on the reform of the bail system in this respect is to be applauded.

The Hon. MARK BUTTIGIEG (21:23): On behalf of the Hon. Daniel Mookhey: In reply: I thank members for their contributions to debate on the Evidence (Audio and Audio Visual Links) Amendment (Local Court Bail Division) Bill 2025, including Ms Sue Higginson, the Hon. Susan Carter and the Hon. Stephen Lawrence. The bill will ensure that legislation governing court appearances by audiovisual link—that is, AVL—is fit for purpose and reflects modern court operations. In particular, the bill will formalise the use of AVL in first-appearance bail matters and support the commencement of the Chief Magistrate's new Bail Division of the Local Court.

I will address some matters raised during debate on the bill. In terms of vulnerable people, Ms Sue Higginson and the Hon. Susan Carter asked about how the reforms will impact persons living with a disability, including individuals with intellectual disabilities or hearing impairments. Those matters have been carefully considered in the development of the reforms, and there are a number of ways to ensure that persons living with a disability are not negatively affected in any way as a result of the use of AVL in first-appearance bail matters. Firstly, courts will retain the ability to order that an accused detainee appear physically and not via AVL where it is in the interests of the administration of justice. That will cover scenarios where there may be concerns about procedural fairness because, for example, an individual cannot engage properly with the proceedings via AVL or cannot easily comprehend the proceedings if appearing via AVL.

Secondly, heads of jurisdiction will be able to issue practice notes to exclude certain locations or classes of detainee from the presumption in favour of appearance via AVL. For example, certain types of detainees could be excluded from the presumption if issues arise with respect to their ability to engage properly with proceedings via AVL. Thirdly, the bill clarifies and strengthens safeguards for the use of AVL, including that it should only be used if all participants can see and hear each other. Fourthly, the Department of Communities and Justice has engaged with both Justice Health and the Justice Advocacy Service in the development of the bail division to ensure that existing processes are maintained. I also note that the bail division will be an open court, with family, friends and support agencies, as well as media, able to access proceedings by dialling in via Webex.

In terms of cultural considerations and children, Ms Sue Higginson also asked about how cultural considerations will be taken into account in the new bail division and raised specific concerns about First Nations people. As I said previously, heads of jurisdiction will have a broad power to issue practice directions setting out classes of cases that will be dealt with in person instead of via AVL. In relation to children, the AVL Act does apply to adults and children, but the Children's Court will not be part of the bail division and instead is developing

a separate model for children's bail matters that are ordinarily dealt with by Local Court magistrates in regional areas on weekdays.

Those matters will be centralised to Parramatta Children's Court to be heard by specialist children's magistrates, which will help to ensure a tailored and consistent approach to bail decisions made for children. The Children's Court will consider a range of factors when determining how and when AVL is used for bail appearances, including the benefits AVL can deliver in allowing regional and remote children to access specialist children's magistrates, specialist legal representatives and Youth Justice services.

Further, under the new provisions, any party can seek a direction from the court that the matter proceed with physical appearance by an accused. When determining whether to make that direction, the court must consider the interests of the administration of justice, which includes a broad range of issues, including any particular disadvantage or issues that might arise from AVL being used in the matter. The Children's Court, for example, can and does already make alternative arrangements for in-person appearances in individual matters where a child has a particular need to access legal representatives or the court in person. Finally, I note that an ongoing cross-agency monitoring group will meet to monitor implementation of the centralised court, which will allow any implementation issues to be raised and addressed.

I acknowledge Ms Sue Higginson's concerns about the Aboriginal Legal Service. Baseline funding of the Aboriginal Legal Service is a longstanding Commonwealth responsibility. Affected accused persons will be eligible for representation by Legal Aid duty lawyers staffing the centralised court. No accused person will be unable to access legal representation as a result of this bill. The Department of Communities and Justice will continue working with the legal service providers to ensure that accused persons receive legal support, and the department will leverage existing work practices to ensure the adequate handover of accused persons from Legal Aid to the Aboriginal Legal Service for representation in substantive matters where appropriate.

The Hon. Susan Carter raised concerns about the effect of this bill on regional New South Wales. In practice, AVL is already being used across New South Wales in a large portion of first-appearance bail matters. The amendments have been carefully drafted so that they reflect both current and future practices. The centralisation of bail also offers potential benefits for regional and rural communities. This includes access to magistrates with special expertise in bail matters and reduced need to transport accused detainees long distances to appear in person at court.

I thank the Legislation Review Committee for its *Digest No. 31/58*. I take this opportunity to respond to matters that the committee referred to Parliament for consideration in relation to this bill. The Legislation Review Committee raised concerns that, if an accused detainee is to appear by audio link during bail proceedings, the magistrate would only hear and not see the accused and therefore lose the ability to perceive the accused person's expressions, gestures and other non-verbal cues. The committee considers that this may affect accused persons' right to a fair trial, including their access to justice. The committee noted that this issue is of particular concern in areas where physical transport and AVL is limited, meaning that audio link may become the default in those locations.

The intention of the new provision is not to enable the use of audio link as a default in bail proceedings just because it is more convenient or because a location does not have AVL facilities. Rather, it is intended as a stopgap. As such, the proposed amendment has several safeguards built in, including that audio link can be used only if all of the following apply: that AVL has failed or is otherwise not available; that audio link is available; that the parties, including the accused and/or their legal practitioner, consent; and that a court is satisfied that it is in the interests of justice.

There are some limited circumstances where the use of audio link in bail proceedings may be necessary and appropriate, particularly in regional and remote areas. This includes a situation where AVL has failed and the use of audio link, with the accused person's consent, would enable the matter to be dealt with expeditiously, rather than transporting the accused over a long distance and/or holding them in custody overnight to access alternative AVL or court facilities. The ability to facilitate expeditious alternatives will be of particular importance in the new bail division, where there will be increased reliance on AVL across New South Wales.

The amendments in this bill reflect the intended future use of AVL as the default arrangement in all bail matters. The bill has been carefully drafted to ensure that it reflects both current and future practices as the bail division of the Local Court is rolled out. It also clarifies and strengthens existing safeguards for the use of AVL in court proceedings and for confidential legal conferencing between an accused detainee and their representative. I commend the bill to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Daniel Mookhey: I move:

That this bill be now read a third time.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. COURTNEY HOUSSOS: I move:

That this House do now adjourn.

MINIMUM WAGE

The Hon. GREG DONNELLY (21:35): The United Nations has 193 member states, plus what are referred to as two observer states. How many countries adjust their national minimum wages annually? The answer is seven, being Australia, Germany, the United Kingdom, New Zealand, Canada, Belgium and France, generally speaking. As one can see, this places Australia in a small cohort of nations that have, in one way or another, institutionalised some form of annual wage increase for workers, in particular for those on minimum or base rates of pay. It would be interesting to know, if I asked honourable members to nominate the most important public announcement made today, how many would nominate the 2025 Annual Wage Review decision handed down at 10 o'clock this morning by the Fair Work Commission. I expect that some honourable members on this side of the House, besides me, follow these decisions each year closely; regarding those on the other side of the House, I am not so sure. I quote directly from the announcement of the decision:

- [2] The Fair Work Act 2009 requires the Fair Work Commission to conduct an Annual Wage Review. There are two main functions in the Review.
- [3] The first is to review, and make, the National Minimum Wage order. The National Minimum Wage applies only to persons in the national industrial relations system who are not covered by a modern award or an enterprise agreement. Its practical effect is limited since only a very small proportion of the workforce is actually paid in accordance with the National Minimum Wage.
- [4] The second, and more important function, is to review the minimum wage rates prescribed by modern awards and to consider whether they should be adjusted.
- [5] Modern awards have much wider practical application. Approximately 20.7 per cent of all employees in Australia are paid at the applicable minimum wage rates in the 121 modern industry and occupational awards currently in operation. Accordingly, such employees, and their employers, are those principally affected in a direct way by this decision.
- [6] The characteristics of the workforce reliant on modern awards for their wage rates are markedly different from the workforce as a whole. They are disproportionately female, more than two-thirds of such employees work part-time hours, more than half are casual employees, and more than a third are low-paid. Because of the part-time and low-paid characteristics of the modern award-reliant workforce, the wages paid to them constitute only about 10.5 per cent of the national 'wage bill'. This means that the direct effect of the Review on wages growth across the whole workforce is limited.
- [7] This modern award-reliant workforce is not spread evenly across the economy but is concentrated in certain sectors of the economy, meaning that the Annual Wage Review has more marked effects in these sectors. Four industry sectors with the highest numbers of modern award-reliant employees, namely Accommodation and food services, Health care and social assistance, Retail trade, and Administrative and support services, account for over two-thirds of all modern award-reliant employees. In other sectors such as Mining, and Finance and insurance services, the proportion of modern award-reliant employees is negligible.
- ...
- [10] The decision we have made is to increase the National Minimum Wage and all modern award minimum wage rates by 3.5 per cent, effective from 1 July 2025.

The effect of this decision that is operative from 1 July 2025 is to raise the national minimum wage to \$948 per week or \$24.95 per hour. This represents a minimum weekly wage increase of \$32, or an annual pay rise of \$1,666, if a person is working on a full-time basis. The Annual Wage Review is a comprehensive and transparent undertaking, conducted over several months each year by the Fair Work Commission. I invite members who are unfamiliar with the comprehensive and transparent work undertaken by the commission regarding the wage review to go to its webpage and closely examine the submissions, statistics, research and analysis that goes into the conduct of the case for and preparation of each year's decision. In simple terms, submissions are received by the Fair Work Commission from unions, employers, government, companies, peak organisations and other stakeholders, seeking out their considered position and views on what should be the annual wage adjustment.

Over several months, the Fair Work Commission received both written submissions and oral evidence from various stakeholders. That was drawn together, studied, deliberated on and prepared in the Annual Wage Review decision. I conclude by acknowledging and thanking the Australian Council of Trade Unions—along with a number of its affiliates who provided assistance—for advancing the well-prepared, detailed and cogent case that it presented with regard to the 2025 Annual Wage Review. While it did not achieve the 4.5 per cent wage rise it sought, the 3.5 per cent increase that was achieved will be gratefully received by the three million Australian workers and their families who rely on minimum and award wages.

TOURETTE SYNDROME

The Hon. JEREMY BUCKINGHAM (21:40): I shine a clear parliamentary light on a condition too often reduced to a punchline, Tourette syndrome, and urge that we replace society's smirks with evidenced-based support. Imagine, just for a moment, that you are an eight-year-old standing up at school assembly, desperately willing your body to stay still. You blink your eyes and jerk your shoulders, and an unexpected hum escapes your throat. Teachers misread the movements as misbehaviour, classmates laugh, and strangers look to parents for discipline. That unseen daily contest is the reality for thousands of children and people in New South Wales. Tourette syndrome is a neurological tic disorder that touches roughly 1 per cent of school-aged Australians and is three to four times more common in boys than girls.

Public knowledge has scarcely progressed since French physician George Gilles de la Tourette first described the condition in 1885, with popular culture still holding firm to the misconception that people with Tourette syndrome involuntarily shout out obscenities. In truth, coprolalia affects fewer than one in five people with Tourette syndrome. Yet that stereotype fuels ridicule, and exclusion continues. From 1 to 7 June, the Tourette Syndrome Association of Australia will run its annual awareness week under the theme "Understand the Impact" to coincide with World Tourette Syndrome Awareness Day on 7 June. Throughout the week, the association will release Australia's first national survey on the lived experience of tic disorders, host nightly online briefings and invite supporters to wear the teal ribbon of solidarity.

The burden of Tourette syndrome rarely comes on its own. Some 85 per cent of Australians with the condition contend with at least one coexisting disorder, most commonly ADHD, obsessive compulsive disorder or anxiety, which multiply educational and social hurdles. International studies show students with Tourette syndrome face markedly higher rates of disciplinary action, not through wilfulness, but because tics are mistaken for defiance. Traditional treatments, behavioural therapy and dopamine-blocking antipsychotics can be life changing for some, but many patients find their tics persist, or the side effects are intolerable. Medicinal cannabis has stepped into the therapeutic gap and is backed by robust Australian science. In June 2023 a randomised, double-blind crossover trial led by Dr Philip Mosley of the University of Sydney Lambert Initiative showed that a balanced THC-CBD oral oil halved motor and vocal tic severity within six weeks and improved anxiety and obsessive compulsive symptoms with no adverse events.

Participant Chris Wright offered a powerful testimony. He said, "Some days I get home and realise I haven't thought about my Tourette's all day. It's changed my life." The Australian findings align with the international CANNA-TICS phase IIIb trial, in which the one-to-one THC-CBD oromucosal spray, nabiximols, has delivered significant tic reduction and quality of life gains for 97 per cent of adults with severe Tourette syndrome. Those outcomes underscore the role of the endocannabinoid system in tightening the neurological filter that normally fails to suppress unwanted movements. However, access remains a labyrinth. Doctors must apply under Therapeutic Goods Administration Special Access Scheme category B for every prescription, approvals can take weeks and no Tourette-specific product is listed on the Pharmaceutical Benefits Scheme. Out-of-pocket costs typically range from \$250 to \$600 a month, forcing some families to ration doses or seek black market alternatives.

Worse, our roadside saliva tests cannot distinguish therapeutic use from impairment. Any detectable THC equals an automatic charge. A schoolteacher who takes a low dose of oil at night may still test positive in the morning, despite posing no greater risk than a driver on antihistamines. There is no medical defence in the Road Transport Act. Accordingly, I call on the Government to fund longitudinal research, including paediatric cohorts, to build on the promising Lambert Initiative results; establish a streamlined, subsidised access pathway; modernise drug driving laws; and partner with the Tourette Syndrome Association of Australia to implement the recommendations of its forthcoming national impact survey. Let us see the person behind the tic, and back science over stigma.

LEGISLATIVE COUNCIL INQUIRY POWERS

The Hon. WES FANG (21:45): As a member of this House, I note that sometimes we do not always get the coverage we deserve. That is unfortunate, but there are a number of members in the Chamber, and some members may be online and tuned in to this debate. It is appropriate to address the concerns that have emerged about some of the powers of this House. We have seen a frontal attack on the powers of this House by members

of the other place and certainly by the Executive Government. Before members debate an item of business that is likely to be on the *Notice Paper* tomorrow, it is quite clear that the Government has sought to curtail the powers of inquiry of this House.

It is a well-established practice that this House has a number of powers of inquiry, including through its committee processes, its budget estimates hearings and even under Standing Order 52. But members of this place have seen a concerted and coordinated attack on the rights of this House by members of the other place. That is of great concern to me as a member, and it should be of great concern to every other member of this House. Not many people may watch this debate, but that matter should be of great concern to the people of New South Wales. During the recent Dural caravan incident inquiry, the Premier wrote to the Speaker suggesting that seeking witnesses from the Executive Government's staff and seeking papers in relation to those events somehow breached comity between the two Houses and also impacted the parliamentary privilege of members of the other place.

I fail to understand how staff who are employed under budgets that are provided to the Executive Government as means of running the Executive Government—as opposed to parliamentary staff or Department of Parliamentary Services staff—could in any way impact the parliamentary privilege of members of the other House. That has yet to be explained to me, nor has it been explained to me why public servants have sought to use the same parliamentary privilege that Executive Government staff have used. But the most egregious part of it all was the Speaker's response to the Premier's letter, which suggested that the matter be referred to the Standing Committee on Parliamentary Privilege and Ethics.

Members are well aware that the Speaker of the Legislative Assembly only holds his position because of the Minns Government. Normally, members of the Government hold the positions of both the Speaker and the President. We are in an interesting position where the Speaker in the other place is an Independent who was, effectively, appointed by the election and members of the Government, who held the majority, and the crossbench. In this House, a member of the National Party somehow found himself elected as President.

The Presiding Officers in both Houses, effectively, owe their positions—even though they are not members of the Government—to the Premier. It will be very interesting to see what the Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics determines, as well as the events of the next couple of weeks when we attempt to call staff of Ministers of the Executive Government to an inquiry. I will be interested in the actions of the Speaker and the President should those staff members not comply.

HUNTER AND MID NORTH COAST FLOODS

The Hon. EMILY SUVAAL (21:50): As I drove from my home up to Taree last week, once the highway reopened, I was astonished at the amount of low-lying water, which I had never seen before, in parts of the Hunter. The Hunter River was the highest I had ever seen. It was loud driving over the Hexham Bridge. On the way through Heatherbrae, as I drove past Evergreen Stud Farm—which those familiar with the area would know—I saw that what was once green paddocks was replaced with a vast sea of water. Scores of horses stood huddled on a muddy patch of higher ground near the gate. There would have been about 20 horses there. As I headed further up the highway and turned off at the exit into Taree, the devastation became more apparent.

The first thing I noticed as I headed into town were the council chambers on Biripi Way, which were converted into an emergency operations centre. The council carpark out the front was converted into a temporary helipad and a place for all of the emergency services to take off and land. That was necessary because the airstrip in Taree was covered in mud. Then I headed through the community of Glenthorne. I cannot convey with words the level of devastation or the amount of mud. There were things in places they should not be, including hay bales that had been tossed around—ending up in trees—water tanks and containers. Those sites became emblematic of the whole situation.

Every time I headed into town through Glenthorne, towards the Martin Bridge, I saw a truck. I am not sure of the story of how that truck ended up where it did, but it had a trailer on the back of it with an excavator. The truck was lodged in a ditch. It looked like—and I could be wrong—the owners of the truck and loader attempted to gather all of their things and drive off, but in the midst of the disaster, missed the driveway and became completely stuck. The truck was fully submerged in the floodwater. There were grasses and trees all over it. That sight greeted me every morning as I drove from where I was staying in Forster into town.

Then I headed further into town and across the bridge. I only managed to get through once one lane of the highway was reopened. The water was at an extraordinarily high level, even once the bridge reopened. It is something I will never forget. Fotheringham Park in the Taree CBD was destroyed. It was covered in mud. Sailo's, the local club, had water and mud up to the level of the bar. There were metres of mud and silt. The smell stays with me. The amount of mud and the texture of the flood mud stays with me.

The other thing that stays with me is the community effort. I acknowledge the member for Myall Lakes, Tanya Thompson. I acknowledge my ministerial colleagues the Hon. Tara Moriarty, the Hon. Janelle Saffin, the Hon. Jenny Aitchison, the Hon. Jihad Dib and the Premier. I acknowledge The Nationals members who attended in support, including the member for Coffs Harbour, Gurmeh Singh, who somehow managed to get over the mountains and down into Taree; the Hon. Scott Barrett, who is still up there, as I understand it; and the member for Dubbo, Dugald Saunders. It is a massive community effort and will be for many, many weeks to come.

YILAA.N.GAAL DHINA YOUTH DIVERSION PROGRAM

The Hon. AILEEN MacDONALD (21:55): Lately there has been a lot of talk about increasing penalties for youth crime. There have been calls for curfews, crackdowns and longer sentences. But there is a new program taking an alternative approach. The program was developed, not in a government office, but in regional New South Wales by a community that was determined to do things differently. The program, Yilaan.gaal Dhina—which means "fresh footprints" in the Gamilaraay language—was designed in Tamworth to not only reduce youth crime, but also to give young people a real chance to turn their lives around and become valued, contributing members of the community.

Between August and November last year, the pilot program worked with five young men identified by police as high-risk offenders who, by many measures, had already been written off. Instead of locking the young men up, the Tamworth Justice Collaborative brought together 14 agencies, police, community leaders and, most importantly, the young people themselves to co-design a different kind of program. They listened to their stories of trauma, loss and hardship. Many of the young men had formed their own families—tight-knit peer groups who looked out for each other because no-one else did. Rather than trying to break their bonds, the program built on them.

The five young men were kept together, employed through the Walaaybaa Rangers Program on Country, and were supported by a team of mentors and caseworkers. Each morning, they did outdoor environmental work, including mowing, weed management, seed collection and cultural burning. They contributed to the community by caring for Elders' yards and supporting local events. Outside of work, they received wraparound support, health checks, cultural programs and help to obtain their birth certificates, myGov accounts, tax file numbers, resumes, driver training and job readiness skills—everything a young person needs to take the next step forward. The impact was profound. Over 16 weeks, police contact with the five participants dropped by between 55 per cent and 77 per cent. Even more remarkably, the offending of 20 of their close associates also declined by up to 39 per cent. The number of police incidents dropped from 98 in the year before the program to just eight during the program's four months.

One participant has since gained full-time employment. Two have secured housing. Two now have their learners' licences. All of them now have skills, qualifications and self-belief. Their words say it best. They said, "I feel safe here", "I got hope, getting up to get ready for work", "Now I feel happy and strong because I have the chance to work and get some skills", and "I'm making a better person of myself". That is what success looks like—not just a drop in statistics, but a shift in identity, self-worth and the future. The program did not come with a price tag of \$2,700 a day—the cost of youth detention in this State. This pilot ran on goodwill, in-kind support and a community that refused to give up on its kids. A fully funded version of the program would cost approximately \$271 per day per participant—a tenth of the cost of detention—delivering better outcomes for less.

The program is not about being soft on crime. It is about being smart on prevention. It is about giving young people a chance at a different future before the justice system defines the rest of their lives. The reality is that most of those kids experienced complex trauma, identified in child protection systems, by the age of two or three. Many have grown up witnessing domestic violence, losing loved ones or being failed by the very systems meant to protect them. Yilaan.gaal Dhina stops the cycle before it becomes generational. One of the participants just had a baby. That child now has a better shot at a different life because of the choices their father is making today.

I thank the extraordinary team at the Tamworth Local Aboriginal Land Council, particularly Joanne Stead and CEO Fiona Snape. I acknowledge the NSW Police Force, BackTrack Youth Works, Tamworth Aboriginal Community Controlled Organisation, and the many community and government agencies that gave their time and heart to this pilot. Above all, I thank the young men who showed up, stuck it out, learned, worked and began to believe they could be more than the worst thing they have ever done. A fully funded version of the program would cost \$271 per day per participant, a tenth of the cost of detention, delivering better outcomes for less.

This is not about being soft on crime. It is about being smart on prevention. It is about giving young people a chance at a different future before the justice system defines the rest of their lives. The reality is that most of these kids have experienced complex trauma and were identified in child protection systems by the age of two or three. Many have grown up witnessing domestic violence, losing loved ones or being failed by the very systems

meant to protect them. Yilaan.gaal Dhina stops the cycle before it becomes generational. One of the participants just had a baby. That child now has a better shot at a different life because of the choices their father is making today.

I thank the Tamworth Local Aboriginal Land Council, particularly CEO Fiona Snape, Joanne Steed and their extraordinary team. I acknowledge the NSW Police Force, BackTrack Youth Works, the Tamworth Coalition of Aboriginal Community Controlled Organisations and the many community and government agencies who gave their time and heart to this pilot. Above all, I thank the young men who showed up, stuck it out, learned, worked and began to believe they could be more than the worst thing they have ever done.

NARRABRI GAS PROJECT

Ms CATE FAEHRMANN (22:00): On 19 May a significant and unfortunate decision was made by the Native Title Tribunal. It is the latest act in a fight that has taken well over a decade. The tribunal decided against the Gomeroi people and in favour of the proposed Santos gas project near Narrabri. The project threatens over 95,000 hectares of prime farmland and the Pilliga forest and will irreversibly pollute the most sacred land and water sources for the Gomeroi, who have done this State a service in fighting this disastrous project. They have been supported by the union movement, farmers, environment groups and many people across the State. In their submission to the tribunal, the Gomeroi raised the impact of the project's greenhouse gas emissions, arguing it was against the public interest test to approve the project. Sadly, this argument did not prevail. Having seen the gloating reaction of Woodside Energy to the most recent blank cheque from the Federal Government allowing massive gas extraction until 2070, Santos is no doubt rubbing its hands with glee.

Santos's Narrabri coal seam gas project will release 1.5 billion tonnes of greenhouse gases over 25 years, equivalent to three times Australia's annual greenhouse gas emissions in 2020. This project received over 23,000 submissions when first proposed in 2017, with over 98 per cent of people opposed. It is proposed to be built on the doorstep of the Liverpool Plains, some of our most productive and fertile farmland. It requires not one but two separate pipelines to transport the gas to Newcastle, including the massive Hunter Gas Pipeline, which Santos is bullying landholders over. Those landholders are locking the gate against Santos, and we stand with them in their fight. The project will see up to 850 total gas wells built in the Pilliga forest, which is a major biodiversity hotspot with 27 threatened species among the incredible flora and fauna that thrive there. It is directly above the Great Artesian Basin, Australia's largest underground freshwater reserve and one of the largest in the world.

It is obvious to any independent observer that Santos will not stop at 850 gas wells. Getting the infrastructure in place is its play for opening the whole Liverpool Plains. We have heard from the tribunal and the establishment that this project is necessary to meet our gas security needs in the face of a domestic shortage. We do face that shortage, but only because of the failure of those politicians to stand up to the fossil fuel giants and because the Government has failed to support households and businesses to get off gas. We have gotten lucky by having such abundant natural resources, and gas is no different, but the rise of liquefied natural gas has allowed producers in Australia to make huge profits at the expense of high energy bills here at home. Eighty per cent of production goes to exports or plant use. It was revealed last month that Japan has been reselling more of the gas that we sell to them than the entire annual usage of eastern Australia. Diverting even a small portion of these exports would solve our supply problems, but instead we are being locked into using expensive gas because our governments repeat the lie that it is a transition fuel.

We already have cheap transition fuel. It is called renewable energy. The Narrabri Gas Project goes against the interests of Gomeroi custodians, landholders and local communities and our land, water, biodiversity and climate. It has no social licence—zero, zip, zilch. This project is a legacy project of former Nationals leader John Barilaro and his *Future of Gas Statement*. That document declared that the New South Wales Government would welcome extensions to the project, threatening any and all nearby farmland. Incredibly, the Labor Government has still not updated or, better still, shelved that document despite being in office for more than two years.

Santos's Narrabri Gas project will decimate the Pilliga forest and Gomeroi country. It is another massive carbon bomb that says to the children of today, "We don't care about your future." It also shows just how much Labor is in bed with the fossil fuel industry. If we fail to stop Santos, it will be a terrible, permanent scar on the landscape, cultural heritage and our collective history in this beautiful country. I applaud the Gomeroi for their strength in fighting this project. We stand with them, and it is not over by any means.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:05 until Wednesday 4 June 2025 at 10:00.